appg Hate Crime

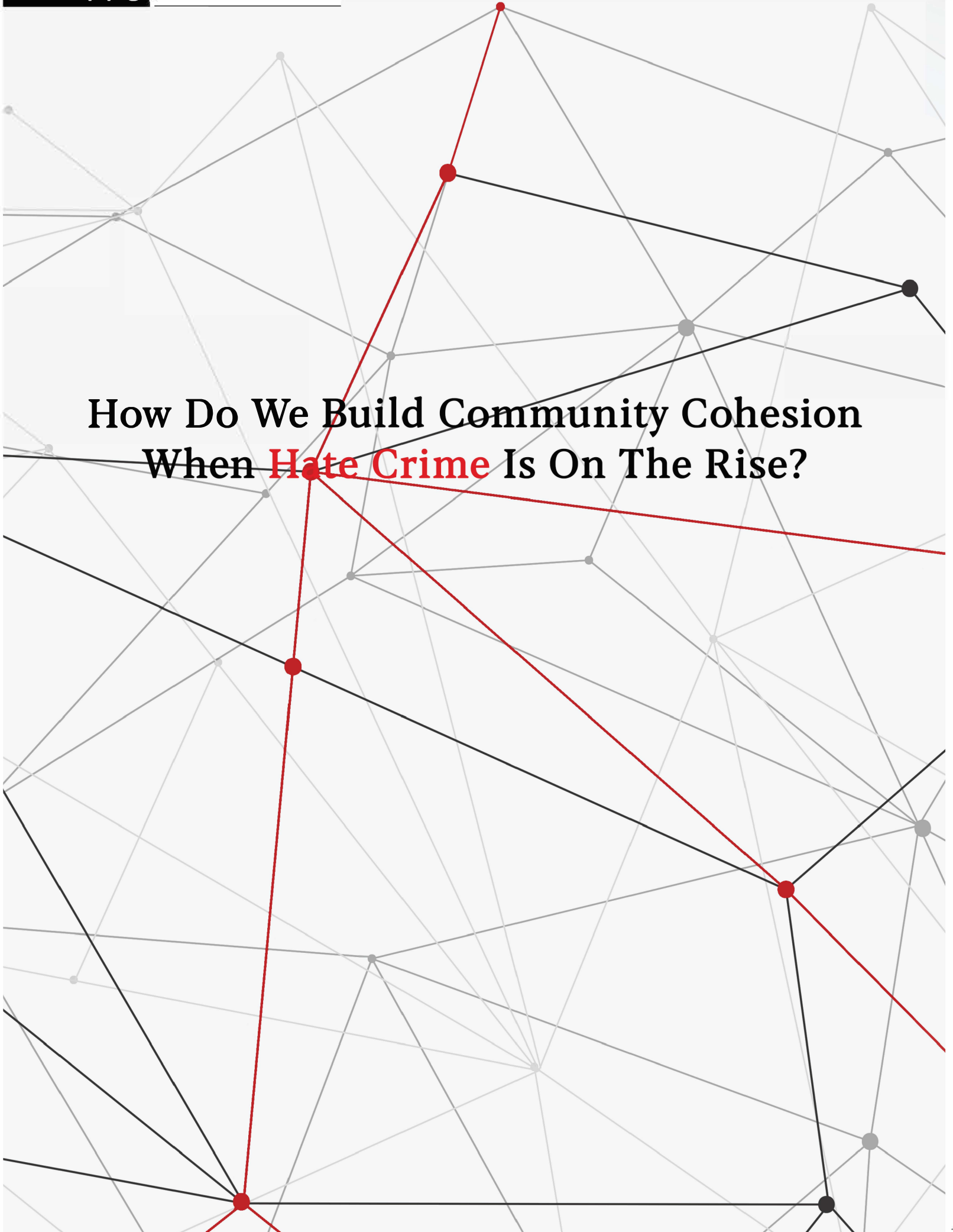# How Do We Build Community Cohesion When Hate Crime Is On The Rise?

The All Party Parliamentary Group on Hate Crime was launched in 2018. The cross party group of parliamentarians is chaired by Paula Sherriff MP.

The group was created to bring together civil society, parliamentarians, law enforcement, academics, and specialist support agencies to improve public knowledge and awareness of hate crime in the UK.

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How Do We Build Community Cohesion When Hate Crime Is On The Rise?

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" There is clear evidence that community cohesion programmes, especially those that build understanding through mixing and contact, improve relations between different communities. These programmes are however quite limited at present, so need to be extended to all areas and to engage people from all backgrounds. In some cases, these programmes will also need to be intensive to tackle longstanding prejudices and stereotypes. But, in all cases, they will lead to a reduction of hate crime and tensions and create greater understanding and acceptance of difference - essential for the shared society in which we now live. "

Professor Ted Cantle CBE

Foreword

Hate crime is one of the least reported categories of crime, but one that can do the most harm to our communities and society. Although reporting rates for hate crimes have increased over the years, it is still one of the most under-reported of all classes of crime. Being a victim of hate crime or incident can have lasting and deeply harmful impacts on the mental and emotional health of victims. To be targeted, abused and attacked for who you are, must be a deeply painful experience long after the actual event has passed.

Our enquiry on "How can we build community cohesion when hate crime is on the rise?'' has identified several key recommendations on how things can be improved. These recommendations apply to government, police forces, crown prosecution services as well as hate crime reporting agencies. Our recommendations include allowing police and prosecutors to recognize the intersectional nature of many hate crimes as well as rectifying the inequalities that exist in terms of sentencing (e.g. a racist assault can incur a more severe sentence than a homophobic one).

I am very grateful for all the time and effort that has gone into this enquiry, especially from the vast range of hate crime agencies, academics, victims and individuals amongst many others that took the time to write up and submit their findings, research, experiences and opinions to the enquiry over the summer.

Ultimately, there remains a mountain to climb when it comes to effectively dealing with hate crime and its impacts on community cohesion. The scale of responses to APPG on Hate Crime enquiry that hate will not be tolerated and we need to all come together to meet this challenge and overcome it.

I hope that this report will prove to be a positive step towards the challenging times ahead.

Thank you,

Paula Sherriff MP

CHAIR – APPG ON HATE CRIME

Executive Summary

Home Office data from 2018 showed a noticeable increase in hate crimes recorded by the police across all monitored strands. This is supported both by evidence submitted to the APPG on Hate Crime enquiry itself as well as in the literature review. Furthermore, government statistics and reports released in 2017 and 2018 also support this statement. Although the rise can be partly attributed to greater levels of reporting by victims and witnesses, under-reporting still plagues this area of criminal justice so better reporting and recording in no way fully accounts for the increases seen.

Hate crime predominantly takes the form of verbal abuse or harassment, although this can vary within strands (e.g. LGBT++ victims tend to experience greater levels of physical assault, and individuals with learning disabilities often fall victim to financial or sexual exploitation). In many targeted communities, hate crime remains massively under-reported, in part due to the normalisation of it, i.e. victims experience hate crime and hate speech so frequently it has become part of their daily lives. There can also be issues around trust when it comes to dealing with the police (e.g. members of the Gypsy, Roma and Traveller community rarely engage with the police due to a fear of further victimisation).

Hate crime is often intersectional in nature (e.g. many victims are women as well as being black, LGBT++, Muslim etc.). However, the current legislation does not allow for this intersectionality to be recorded so the picture that authorities have lacks depth and subtlety.

Hate crime has a markedly greater impact on the emotional and mental well-being of victims when compared to non-hate motivated offences. It leads to more behavioural changes in victims (e.g. not going out of the house as often or changing their routes to and from work to avoid harassment). There is evidence that links being the victim of hate crime to serious mental health issues including suicidal ideation and suicide itself.

Children and young people are particularly vulnerable to hate crime, both through absorbing harmful online content as well as being exposed to the prejudices of adults in their daily lives, which can have lasting impacts on their lives. Targeted individuals do not always have faith that teachers will be able or willing to support them so, therefore, avoid reporting incidents.

The online world is a fertile breeding ground for hate crime and acts of speech which are hateful and/or seek to encourage violence. The overlap between the digital realm and the physical can have real consequences, including the terroristic murder of Labour MP Jo Cox in June 2016.

Many submissions to the enquiry said that the government should take urgent steps to implement the recommendations of the Law Commission report published in 2014. During the production of this report, it was announced that a full review of all hate crime legislation would be carried out by the Law Commission. This review will have a wide-ranging remit covering all aspects of current hate crime legislation as well as considering if any new characteristics should be protected. The APPG on Hate Crime welcomes the recent governmental decision to order a full review of hate crime legislation by the Law Commission and hopes to play a role in this process.

There was a clear desire to see a more consistent approach towards hate crime from police forces across the country. There was a stated need for more training in awareness and how to approach

victims, as well as for police forces to reach out to the marginalised and targeted communities in their regions.

The government has a key role to play according to many submissions. It was largely agreed that current hate crime legislation is fragmented and creates a 'hierarchy of hate' that needs to be addressed (e.g. racism and religious hate crime can carry a greater penalty than LGBT+ or disability-related hate crimes). It remains to be seen what recommendations come from the Law Commission review but there are clear arguments for expanding the categories of protected characteristics, updating and consolidating the existing legislation to make it more consistent and straightforward in its application.

One area where charities, civil society groups, and community organisations can make a valuable contribution to the fight against hate crime is through supporting the provision of restorative justice. Research has shown that use of a restorative approach can bring tangible benefits to all parties and reduce the risk of future offending by perpetrators.

Introduction

Last autumn, I was invited to the Friedrich Schiller University in Jena in Germany to speak about the 'hate crime crisis' in today's Britain. Presenting to peers from across Europe and North America, I spoke about how official data showed that the number of recorded hate crimes were at record levels. In going beyond the official data, I used data from Tell MAMA among others to illustrate not only how hate crime had been on an upward trajectory for a number of years but so too illustrate some of the drivers behind this. In doing so, I suggested British society was increasingly divided along a variety of lines that sought to demarcate 'us' from 'them'.

Based in the Centre for Hate Studies at the University of Leicester, historical research has shown that hate crime is best defined as an act of violence, hostility or intimidation that is directed towards people because of their identity or perceived 'difference'. Because hate crimes are unlike other crimes in that they specifically target difference to convey the message that the victims and those they identify with will always be the 'them' to 'us' and all that we perceive to be the 'norm', so the record levels of recorded hate crime can be seen to be something of a consequence of an ever more divided society.

Since returning from Germany, Home Office data has shown that the situation has deteriorated even further with 94,098 hate crime offences being recorded by the police in England and Wales in the year 2017/8. An increase of 17% on the previous year that itself witnessed a 29% overall increase. In fact, the number of recorded hate crimes have more than doubled since 2012/13 (from 42,255 to 94,098, an increase of 123%). That the hate crime crisis referred to previously is getting worse means that this report from the APPG on Hate Crime is not only a welcome and timely contribution but so too in many ways, also a necessary one. There are several reasons why this is so.

The first is that by focusing solely on the recorded numbers can be somewhat misleading in that it has the potential to oversimplify hate crime's complexity. As this report illustrates, a hate crime can be and indeed is experienced and encountered differently across the different strands. From the verbal abuse encountered by visible Muslim women through the physical assault experienced by those with LGBT+ identities to the sexual exploitation of people with learning difficulties, a hate crime is far from straightforward. Drawing on its unique experience of understanding and evidencing anti-Muslim hate, disability hate, antisemitism, homophobia etc, this report contributes towards a better and more informed understanding of hate crime by explaining the complexity inherent within this broad category.

The second is that this report illustrates the detrimental harms that hate crime causes. As my own and my colleague's research shows, while the physical injuries associated with hate crimes tend to be relatively well documented, what is often overlooked is the less obvious – and less visible - emotional harms. Having collaborated with Tell MAMA in the past to undertake research into the impact of anti-Muslim hate on its victims, we engaged individuals that felt variously scared and anxious, upset and depressed, angry and disillusioned. That experience of hate crime affects the everyday lives of an increasing number of ordinary people up and down the country, these 'hidden harms' cannot be either negated or ignored. It is good to see that this report does neither.

The third reason why this report is necessary is that it understands how the harms of hate extend beyond victims. In this respect, hate crime affects the families, friends and communities of those who

become victim to it. Noting that hate crimes often send a 'message' to the groups and communities its victims are perceived to belong to, my own research like that of others shows how this can be seen to have something of a 'ripple effect'. As is evident in the spikes in anti-Muslim hate crime that follow Daesh-inspired terror incidents – so comprehensively evidenced by Tell MAMA over the years - because they convey the message that perpetrators deem all Muslims to be responsible, so Muslim communities feel increasingly threatened and fearful. That this is evident across all the different monitored strands of hate crime are known to be under-reported, the reality is that many more people have the potential to be affected by hate crime than the number of victims alone. This report clearly understands this.

Finally, this report acknowledges the detrimental and damaging impact hate crime has on society. In this respect, it directly resonates with my own thinking and the talk I delivered in Germany last year. Like extremism in all its myriad expressions, bigotry and hate – and by consequence hate crimes – seeks to divide us. Focusing on our differences as opposed similarities, if hate crimes are left unchecked it has the very real potential to deepen inter- and intra-community tensions and fractures thereby making co-operation, collaboration and cohesion ever more difficult to aspire to let alone achieve. This report rightly conveys this message in a clear and credible manner while providing several practical and tangible recommendations that have the potential to have a short, medium and long-term impact.

Noting the concerns of Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services about the 'real possibility' of hate crimes increasing even more following the UK's formal exit from the EU later this year and the ongoing threat posed by extremists inspired by Daesh and extreme right-wing ideologies alike, the immediate future might look somewhat bleak. For this reason, it is right that agencies including Tell MAMA, CST, Stonewall, Dimensions UK and Stop Hate UK – like me – are supporting the work of the APPG on Hate Crime in order that hate crime and importantly, the need to address and respond to it remains on the political agenda and in the forefront of society's thinking. Not only is this highly commendable but like this report and the work undertaken by these and other agencies more widely, it is also desperately needed if we are to journey towards a less divided, more cohesive Britain.

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Dr Chris Allen

ASSOCIATE PROFESSOR IN HATE STUDIES

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The APPG on Hate Crime

The All-Party Parliamentary Group (APPG) on hate crime was formed to facilitate the coming together of civil society, parliamentarians, law enforcement, academics, and specialist support agencies to improve public knowledge and awareness of hate crime in the UK. It aims to examine hate crime across all categories and strands and to consider possible solutions to the problem.

At the time of writing this report, the APPG on Hate Crime has 13 members. The Chair of the APPG on Hate Crime is Paula Sherriff MP (Labour) and there are members from Labour, Conservative, Green, SNP and Plaid Cymru. The APPG on Hate Crime is supported by Faith Matters, a non-governmental organisation that exists to improve inter-community relations, as well as combatting extremism and hate crime.

The APPG on Hate Crime also works with a range of supportive organisations. These include but are not limited to the Community Security Trust (CST), Tell MAMA, the Anti-Bullying Alliance, Friends Families and Travellers (FFT), Stop Funding Hate, the East European Resource Centre (EERC), GALOP, Report Racism - Gypsy, Roma, Traveller, Show Racism the Red Card (SRtRC), Stop Hate UK, and Mind.

The number of reported hate crime across all monitored strands has continued to rise since 2012/13. Improved policing practices and the recording and identification of hate crime are factors in this rise. However, there has been a genuine rise in hate crime over this period. Certain events have been followed by sharp increases in reported hate crimes. These include the EU referendum of 2016 and when there are major national or international incidents, such as terrorist attacks or instability in the Middle East. In the latter, there are direct impacts on Muslim and Jewish communities. Online communications and social media platforms can carry ideas and tensions across the globe, affecting diaspora communities almost instantaneously.

A hate crime is described as:

> Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.

This idea of a person or 'victim-centred' approach was enshrined in the watershed Macpherson report (1999). This was published in 1999 following the unprovoked racist murder of Stephen Lawrence in south-east London in 1993. The Macpherson report put hate crime reporting into the public focus and the report redefined the way racist offences were recorded. It also broadened the offence category to include crime and non-crimes, with both being recorded and investigated with an equal commitment. Other recommendations included the ability for members of the public to report incidents to third-party hate crime reporting services such as CST, Tell MAMA, GALOP or Stop Hate UK. Reports could be made in confidence and would then be passed onto police forces through these conduit agencies with the prior consent of victims. The Macpherson report sought to redress the balance in favour of the person who was targeted for hate and to ensure that their journey to justice was as smooth as possible, whilst agencies could maintain the dignity and integrity of the complainant. This has formed the basis of hate crime work ever since.

The Hate Crime Enquiry

In March 2018, the APPG on Hate Crime launched its first enquiry, entitled 'How can we build community cohesion when hate crime is on the rise?' The enquiry's key purposes were to gather evidence of how all types of hate crime and hate incidents impact on individuals and communities and to provide detailed recommendations on how community cohesion can be strengthened in the face of such attacks.

The enquiry was designed to give equal consideration to all strands of hate crime and hate speech. These included race, religion or belief, gender identity, sexuality and disability. Sex was also included, although misogyny and sexism are not officially recognised as hate crime categories consistently across the UK. Since the closing date of submissions to this enquiry, the Home Office has published a Hate Crime Action Plan[1] that includes a review to be conducted by the Law Commission into hate crime legislation with the possibility of expanding the number of protected characteristics, including misogyny and age.

All forms of hate crime were taken into consideration (e.g. online attacks, verbal abuse in the street, criminal damage or vandalism, physical and sexual assault). The enquiry was designed to tease out common themes and trends across targeted groups and communities. It was also intended to identify potential divergences between the different strands.

To best achieve these aims, enquiry submissions were invited from all areas of society. Submissions could be made by individuals, groups, organisations from all backgrounds. Submissions could be based on personal experience, academic research, findings from third-party reporting agencies or any other relevant sphere. Submissions were invited to consider the following questions, which were divided into two categories; the status quo and recommendations for the future:

Status Quo – What is the situation today?

- What is the extent of hate crime and speech that is experienced by individuals or communities and what form does it take?
- How does experiencing hate crime and hate speech impact on individuals, communities and their values?
- How does online hate speech and hate crime impact on community cohesion? Is there a link?
- How does hate crime and hate speech contribute to extremism, including intra-community sectarianism?
- How does hate speech and bullying impact children and young people in schools and educational institutions?
- How does hate speech impact on the emotional and mental health of individuals who are targeted at a street and online level?

Recommendations – What can we do to build community cohesion?

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[1] "Hate Crime Plan Refreshed to Protect Victims and Promote Shared Values." GOV.UK. Last modified October 15, 2018. https://www.gov.uk/government/news/hate-crime-plan-refreshed-to-protect-victims-and-promote-shared-values.

- Best practice: What schemes, initiatives and projects exist to build community cohesion in the face of rising hate crime and hate speech?
- What can national and local government do to increase community cohesion in the face of rising hate crime and hate speech?
- What role do police forces play in increasing community cohesion in the face of rising hate crime and hate speech? Are there practical examples of their work, say after major terrorist attacks when cohesion may be affected?
- What role can community organisations, charities and others play to increase community cohesion in the face of rising hate crime and hate speech?
- Are there projects that help individuals to support their emotional, mental health and practical needs when they are targeted online and offline?

The enquiry initially set a submission deadline of 25 July 2018. Following several individual requests for an extension, the decision was taken to move the deadline to 15 August 2018.

During the submission period, there were several pieces of evidence sent to the enquiry that highlighted possible confusion over the protected characteristics listed in the Equality Act 2010 and the five hate crime strands as defined by the Criminal Justice Act 2003. There were also a few calls for the hate crime strands to be updated and expanded upon.

At the end of the submission period, the APPG on Hate Crime had received a total of 113 submissions, covering all the different hate crime strands. Alongside this, the APPG on Hate Crime received several copies of the same submission from different email addresses. This submission was racist, Islamophobic, and homophobic in nature and was rejected as malicious.

Different submissions contained varying levels of detail for each of the questions, as it was dependent on the authors' own areas of experience and expertise. This report has been based around each of the individual questions with some sections being longer than others. At the end, we present our conclusions on both the status quo and recommendations. There is also a section highlighting key steps that should be followed. These will be based on the information and data that was provided to us through the submissions we received as well as a literature review that was conducted to gather further evidence.

Status Quo – What Is the Situation Today?

What is the extent of hate crime and what form does it take?

The overall trend in the UK is one of increasing rates of hate crime across all categories. In every submission that gave data about local or national trends, the authors agreed that the situation is getting worse and that, due to large numbers of hate crimes not being reported to third-party services or the police, the true profile of hate crime in the UK is akin to an iceberg, with the majority hidden from view.

This is confirmed in the recently released (October 2018) Home Office annual hate crime figures - recorded by the police in England and Wales that demonstrate a 17% increase on the previous year and increases in all of the five protected characteristics .[2] Of the total 94,098 recorded offences, race and ethnicity make up the most at 71,251, an increase of 14% on the previous year. Religion saw the largest increase of 40% (8,336 offences), transgender hate crime increased by 32% (1,661), disability by 30% (7,226), and sexual orientation by 27% (11,638). The submission from the Crown Prosecution Service (CPS) matches this in terms of the number of successful hate crime prosecutions from 33.8% (2015/2016) to 52.2% (2016/2017).

These statistics demonstrate several issues, not least the intersectionality of hate crime, with more than one personal characteristic often prompting a hate crime. For example, Tell MAMA have highlighted in their reports the intersection of religion and race.[3] The statistics also demonstrate a number of other issues including spikes in hate crime reports caused by events and political rhetoric and concerns about continuing under-reporting of hate crime. Both will be explored further throughout this report, as will the normalisation of hate crime experienced by individuals and groups because of its regularity, meaning many individuals are experiencing a multiplicity of hate crime incidents that form part of a daily routine.

In 2018, the UK Government published the National LGBT+ Survey.[4] It considered responses from 108,000 participants. Of these, 40% (43,200) had experienced at least one incident of hate crime in the 12 months preceding the survey. Since this survey only looked at the experiences of one vulnerable community and only asked for experiences over a 12-month period, it can, therefore, give an authoritative picture. This study was cited by Stonewall in their enquiry submission. This is also confirmed in findings from the Leicester Hate Crime Project with hate crime towards sexual

[2] The Home Office. "Hate Crime, England and Wales, 2017/18." The Home Office. Accessed February 4, 2019. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf.
[3] Tell MAMA. "Beyond the Incident: Outcomes for Victims of Anti-Muslim Prejudice." TELL MAMA. https://tellmamauk.org/wp-content/uploads/2018/07/Tell-MAMA-Report-2017.pdf.
[4] Government Equalities Office. "National LGBT+ Survey: Research Report." GOV.UK. Last modified July 2, 2018. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/722314/GEO-LGBT+-Survey-Report.pdf

orientation *'more likely to be violent in nature'* with *'intimidation, harassment and violence' part of peoples' daily experiences*.[5]

Research carried out by the University of Leicester suggested that police in England and Wales recorded 80,393 hate crime incidents in 2017/2018. Note that this figure is not the number of reports received which, as can be seen in the Home Office figures above, is higher.

The submission from Stop Hate UK cited Home Office data, indicating a 29% increase in hate crime in 2016/2017 compared to the previous reporting period. The CST data showed consistently high levels of antisemitism over a three-year period, and Tell MAMA recorded 1,201 verified anti-Muslim and Islamophobic incidents in 2017 with a total of 3,005 over a three-year period. In all cases, agencies and individuals stated that the actual figures would be much higher than these, but chronic under-reporting means that the true scale will likely never be known.

Under-reporting is an ongoing issue for the collation of hate crime statistics although there are signs of improvement. Part of this may be the culmination of an investigation in 2014 by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) who reviewed the recording of crime by police.[6] As the recently released Home Office statistics demonstrate, the number of hate crime incidents coming to the attention of police is greater than compared to Crime Survey for England and Wales (CSEW) crime, 53% to 40%. However, under-reporting remains a significant barrier to understanding the true extent of hate crime and its impact. The Leicester Hate Crime Project state that the *'majority of hate crime victims do not report their experiences'* and found that in a sample of LGBT+ respondents, *'only 14% had reported their most recent experience of hate crime to the police'*. The biggest explanation was their belief they would not be *'taken seriously'*, hence, part of the project was to work with communities and encourage the reporting of hate crime. Another explanation for under-reporting concerns the *"ordinariness"* of hate crime whereby its regularity means individuals even fail to identify it as hate crime.[7]

Hate crime takes place both online and offline. In almost all submissions many incidents were classified as verbal abuse or abusive behaviour. Both the CST and Tell MAMA classify verbal abuse under a broader heading of abusive behaviour (CST also includes hate mail, antisemitic graffiti and social media posts under this heading). In 2017, Tell MAMA classed 52% of their verified incidents as abusive behaviour. The CST also confirmed that abusive behaviour was the most frequently used classification when dealing with reports of antisemitism. Rene Cassin, a human rights charity, cited CST data from 2017, stating that there were 1,038 instances of abusive behaviour recorded. The charity GATE Herts, which works with and supports hate crime victims in the Gypsy, Roma and Traveller (GRT) community also cited verbal abuse as the leading type of hate incident, often with

[5]University of Leicester. "Identifying Barriers and Solutions to Under-reporting — University of Leicester." University of Leicester. Accessed February 4, 2019. https://le.ac.uk/hate-studies/research/identifying-barriers-and-solutions-to-under-reporting.

[6] "Crime recording: A matter of fact An interim report of the inspection of crime data integrity in police forces in England and Wales." Criminal Justice Inspectorates. Accessed February 4, 2019. https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/2014/05/crime-data-integrity-interim-report.pdf.
[7]
https://lra.le.ac.uk/bitstream/2381/31466/2/NC%20Journal%20of%20Interpersonal%20Violence%20article%20%28Dec%202013%29.pdf

references to World War II and the extermination of GRT people by the Nazis. The Merton Centre for Independent Living (Merton CIL), who support physically disabled people, also cited verbal abuse as the most frequently experienced type of hate incident. Figures submitted by Stop Hate UK showed that in the reporting period 2017/2018 18% of incidents were classed as verbal abuse, 16% as threatening behaviour and 15% as harassment.
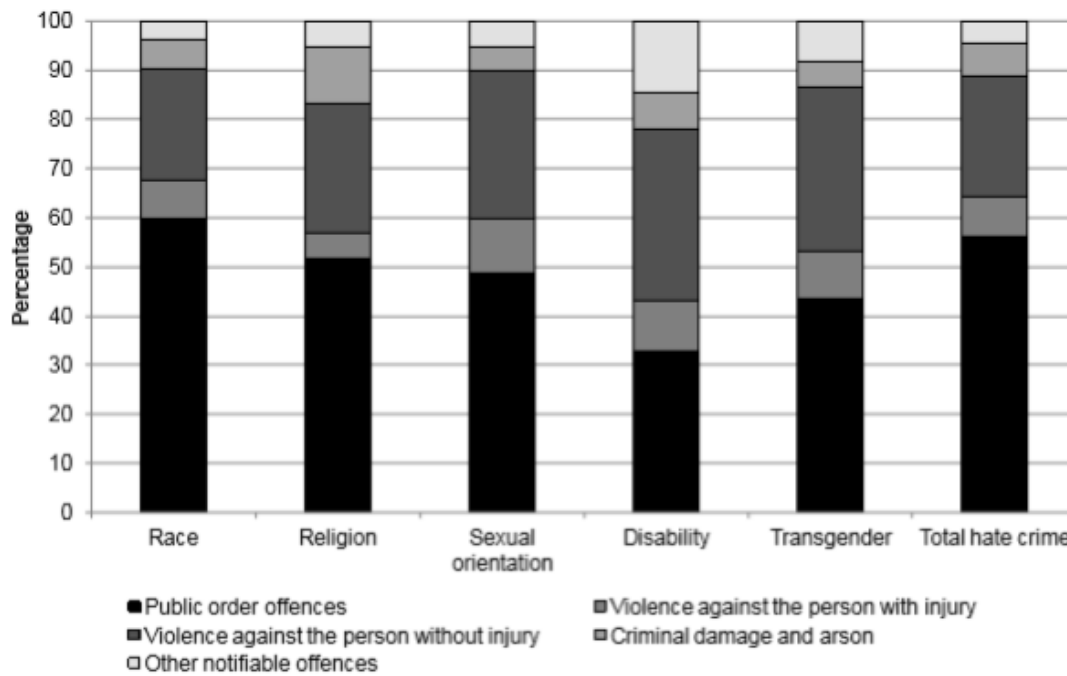
The submission from the Equality and Human Rights Commission (EHRC) stated that:

> *The nature of hate crime can vary between different protected strands. For example, research suggests that hate crime towards lesbian, gay, bisexual or trans people can involve a greater propensity towards physical violence; disability hate crime can involve high levels of sexual violence and property offences; and anti-religious hate crime can follow certain trigger events such as global terrorist attacks.*

The study carried out by the hate crime research team at the University of Leicester (>2,000 respondents spoken to over a three-year period) stated that 98% of participants had received verbal abuse at least once over that period and 54% were subjected to verbal abuse repeatedly. Dr Zoe James of Plymouth University cited data from the GRT community that showed 81% and 71% of respondents (n = 187) had experienced name-calling and bullying respectively. Data submitted by researchers from Sussex University which measured hate crime experiences amongst the LGBT++ and Muslim communities showed that 65% and 63% had experienced verbal abuse respectively (n= 3,000). Stand Against Racism and Inequality (SARI), a hate crime charity working in the South-West of England stated that of the 511 hate crime incidents reported to them in 2017/2018, 359 were classed as verbal abuse.

The submission from the National Black Police Association (NBPA) cited a breakdown of hate crime by selected offence types and monitored strands over 2016/2017. The data was sourced from police recorded crime, the Home Office, and is shown below:

Source: Police recorded crime, Home Office

There were many submissions sent to the enquiry by private individuals. Again, these submissions demonstrate the prevalence of verbal abuse when detailing the impacts of hate crimes against them.

Many of these submissions were from women, both heterosexual and lesbian, who reported misogynistic abuse directed at them by men. Nottingham Women's Centre (NWC) has worked with Nottinghamshire Police and both Nottingham universities to monitor the impact of classifying misogyny as a hate crime over the last two years. They noted that local women tended to suffer more extreme attacks, including unwanted sexual advances (48.9%) and groping (46.2%). Sexually explicit language, clearly a form of verbal abuse, also featured highly (54.3%). The enquiry received many submissions that argued the case for sex (misogyny) to be added to the existing hate crime strands.

As previously mentioned, the Home Office has announced a review of hate crime legislation to consider whether, amongst other strands, misogyny should be included. The review will be carried out by the Law Commission and will also consider whether to include misandry (prejudice against men) as well as age and subculture (e.g. Goth).[8] This follows pressure from by various groups, including the Nottingham Women's Centre, and an amendment to existing hate crime legislation was submitted by Labour MP Stella Creasy in early September 2018. Data from Tell MAMA continues to demonstrate the disproportionate impact Islamophobia has on Muslim women, who dress Islamically, and where

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[8] The Law Commission. "Hate Crime." Law Commission. Accessed February 4, 2019.
https://www.lawcom.gov.uk/project/hate-crime/.

the data was available, highlighted how a clear majority of perpetrators were men in street-based or 'offline' locations.

The charity Refugee History cited negative media coverage as an exacerbating factor in the experiences of people it has worked with, with commentators such as Katie Hopkins singled out for stoking intolerance and fear of minorities. Another refugee organisation, Refugee Action cited two extreme instances of hate crime against refugees and asylum seekers. One was a family being targeted by arsonists, another of a woman and her teenage son, both of whom were seriously attacked in the street.

Dimensions UK, a charity which works with learning-disabled and autistic people highlights the different patterns of hate crime experienced by these groups, reported that individuals it supports are more likely to be targeted by people seeking to manipulate them to be exploited, often financially and/or sexually. Other organisations that work with this community support this assertion, that learning-disabled people are particularly vulnerable to what is termed 'mate crime'.

It is clear from the experiences provided to our enquiry that hate crime is deeply intersectional, although currently, legislation does not allow for this to be officially recorded. For example, in 2017 Tell MAMA reported that 57.6% of victims were women, indicating an intersection of both anti-Muslim prejudice and misogyny (again, it needs to be noted that sex is not a protected characteristic in hate crime legislation).

Stonewall's submission highlights the intersectional nature of hate crime within LGBT++ community. They quote that 33% of Black and Minority Ethnic (BAME) LGBT+ people had experienced a hate crime in the past year compared to 20% of white LGBT+ people. They also reported that 27% of disabled LGBT++ people had experienced hate crime compared to 17% of non-disabled LGBT++ people. As race and disability status are included with sexuality in existing hate crime legislation, these figures clearly show that the true picture is more complicated than that portrayed by official statistics. The most recent Home Office statistics acknowledge the intersectional nature of hate crime and the existence of more than one *'motivating factor'* behind individual hate crime experiences. This is demonstrated in their overall figure of 107% when the recorded strands are calculated, illustrating the multiplicity of hate crime motives. This recognises the complexity of hate crime and what Chakraborti states are the *'interplay of identities with one another'* that expands *'our lines of enquiry beyond conventional singular constructions of identity'.*[9]

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[9] Chakraborti, Neil. "Re-thinking hate crime: Fresh challenges for policy and practice." Journal of interpersonal violence 30, no. 10 (2015): 1738-1754.

How does hate crime and hate speech impact on individuals, communities and their values?

All the submissions received by the APPG on Hate Crime detailed the impact of hate crime and hate speech on individuals and communities. In all cases, the impact was negative, traumatic, and caused clear psychological and emotional harm.

The submission from Merton CIL cited their own research, conducted in 2016, which found that two-thirds of respondents (all hate crime victims) reported having been negatively impacted by their experience.

Many of the individual submissions detailed how the respondents had changed their behaviour by avoiding certain routes, changing their daily commute after being assaulted or harassed on public transport. They make mention of how the abuse made them feel afraid, even to leave their homes at all. One private submission was from a teacher and parent who described how the abuse and hatred she endured led to her becoming *"bedridden"* and had contributed to what she defined as *"a minor emotional breakdown, where the head teacher, and an associate headteacher, spent the best part of two hours with me"*. Another submission, from the perspective of a parent, whose child possesses protected characteristics, wrote:

> It is extremely stressful. It makes me afraid to mention that I have a trans child, and fearful about whether I can keep my child and our family safe. I lose sleep, find it hard to cope.

More than one submission referred to the case of Fiona Pilkington. Fiona killed herself and her learning-disabled daughter in 2007 after enduring months of abuse and property damage, aimed largely at her daughter directly because of her disabilities.[10]

Communities that are targeted by hate crime tend to become isolated from the wider community as a direct result of the attacks. The submission from GATE Herts, a charity that works with the GRT community, states that:

> About one-third of hate crime victims report behavioural changes both as coping responses to the most recent attack and as attempts to avoid future victimisation…When an incident occurs, members of the victim's group, and the community, becoming aware of it, alter their actions and behaviours as well. People who are not members of the victim's community, but also belong to minority groups, may behave similarly, fearing for their own safety.

In a similar way, the submission by Inclusion London which works with deaf and disabled people points out that as disabled people have been seen as 'lesser' than able-bodied members of society for millennia, hate crime serves to reinforce *"the feeling that our people's lives are worth less than non-disabled people"*.

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[10]Davies, Katie. "Ten Years After the Death of Fiona Pilkington, Have the Police Got Better at Tackling Hate Crime?" The Independent. Last modified October 18, 2017. https://www.independent.co.uk/news/long_reads/fiona-pilkington-frankie-pilkington-suicide-learning-disabilities-bullying-hate-crime-a8004526.html.

One area where the values of both individuals and their communities are affected is their perception of authority figures such as the police. The submission by Professor Mark Walters highlights the 'justice gap' within hate crime (this will be discussed in greater detail later in this report). The discrepancy between the levels of hate crimes reported to the police and those then recorded as such, let alone hate crimes that result in prosecution, has contributed to a largely negative and distrustful view of police forces. This negative perception is also a driving force behind the under-reporting of hate crimes in the UK. Victims do not believe that they will be taken seriously, or that the officers themselves will share the prejudices that were behind the original attack.

There is a creeping sense of normalisation occurring within the hate crime arena now. This is affecting both victims and perpetrators. For victims, they are experiencing abuse and harassment on such a frequent basis that it is becoming part of their daily routine. Again, this is a factor that will contribute to the under-reporting of hate crimes. The submission by Leicester University discussed how for some vulnerable groups instances of hate crime have become part of their everyday lives. They quoted study participants:

> On a day-to-day basis we have comments passed, people giving us weird looks, saying something.

> People shouting or spitting or throwing bottles from cars or, you know, stuff like that. But that stuff happens all the time.

In their submission, The Equality Practice Ltd refer to the development of a *"pack mentality"* in communities where hate crime and hate speech are commonplace. They describe how *"it becomes acceptable to use the unacceptable, to ignore, to shout abuse, to spit at, to intimidate and frighten people, because of their difference."* They also highlight the damage that is done to community values by those who show passive ignorance and let such abusive behaviours go seemingly unnoticed. This attitude is frequently observed by victims and can contribute to a sense of disconnection with the wider community, in turn feeding isolationist tendencies.

It is perhaps informative that theorists such as Matsuda et al (1993) refer to hate speech as *'assaultive speech'*, a means of defining *'words that are used as weapons to ambush, terrorize, wound, humiliate, and degrade.'*[11] All of the above submissions demonstrate the emotional, psychological and behavioural impact of hate crime. The Home Office hate crime statistics of 2018 report that victims suffered more than victims of CSEW crime, 36% stating they were affected *'very much'* compared to 13% of non-hate crime offences. This demonstrates the impact of offences targeting personal characteristics.

Paterson et al (2018)[12] refer to the effects of hate crime on the victim as being a process beginning with the instigation of vulnerability, which then promotes further emotional reactions including *'anger, anxiety'* and *'shame'*, culminating in behavioural changes. These can vary between *'avoidance and security concerns'* linked to places deemed risky, to seeking retaliation and wanting to raise awareness in others. They also identify a difference between direct and indirect impact hate crime has

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[11] Matsuda, M.J. *et al* (1993). Words that wound: Critical race theory, assaultive speech and the First Amendment. Westview Press

[12] Paterson, Dr Jenny, Prof. Mark A. Walters, Prof. Rupert Brown, and Dr Harriet Fearn. "Findings from the Sussex hate crime project." The University of Sussex (2018).

on victims. Whilst the latter is discussed below, the former relates to the individual victim and the physical and psychological impact.

It is worth examining Mythen el al.'s (2013) [13] research of Muslims aged 18 to 26 that demonstrates the extent many felt required to stay safe and protect themselves from anti-Muslim incidents. In his research sample, he found many of the young Muslims altered their behaviour and daily routines to avoid bringing attention to themselves. The result was the carrying out of *'practices of self-surveillance'* as a means of presenting themselves as acceptable to non-Muslims. *'Self-surveillance'* included changing their clothing, men hiding facial hair, and the restricting of what they said publicly, particularly related to foreign policy.

Furthermore, the impact on the community is demonstrated again using Paterson et al. (2018)[12] above research which found in their study of LGBT+ and Muslim respondents' feelings of connection *'locally, nationally and globally'*. Whilst the strength of this connection varied from individual to individual, the majority of the LGBT++ participants, for example, found local attachment through attending community events and spaces specific to their community. Likewise, a national attachment was enhanced by attending national events such as Pride. On a global level, Muslim respondents referred to the ummah community whilst Muslims and LGBT+ respondents alike discussed a shared connection to others through their treatment as 'different'.

Implications on the community can be better understood through Intergroup Emotions Theory (Paterson et al. 2018)[12]. Described as the indirect impact of hate crime, it identifies harm as cascading from the victim out into the community, with the act argued to be *'symbolic'* and *'intended to send a message of hostility and intolerance to anyone who shares the identity or characteristics of the victim targeted'*. This can lead to feelings of a 'siege mentality', promoting vulnerability and insecurity and an expectation of further attacks. Importantly, they argue this can lead to feelings of stigma, *'potentially resulting in community tensions and social isolation'* (Paterson et al. 2018).[12]

With heightened emotional responses driven by hate crime, one reaction can be to seek retaliation. Whilst they found respondents were prone to '*be more proactive*' and referred to '*behavioural responses*' they do not discuss this further, for example, what is the specific nature of the retaliation and will it create an ideal recruiting ground for extremists (Paterson et al. 2018)[12]. This appears an important gap to fill.

Chakraborti and Garland (2012) [14] cite research that identifies the impact on communities arguing that hate crime cannot be removed and separated from *'power dynamics'* within modern society that exacerbates the 'othering' of those identified as different. Hate crime is deemed a response to those seeking to remove themselves from their subordinate position in society, substantiating the relationship between the *'dominant and subordinate'*. Hate crime is described as a form of *'violence and intimidation directed towards the collective wider community whom the victim is perceived to represent'* (Chakraborti & Garland, 2012).[14]

[13] Mythen, Gabe, Sandra Walklate, and Fatima Khan. "'Why should we have to prove we're alright?': Counter-terrorism, risk and partial securities." Sociology 47, no. 2 (2013): 383-398.
[14] Chakraborti, Neil, and Jon Garland. "Reconceptualizing hate crime victimization through the lens of vulnerability and 'difference'." Theoretical Criminology 16, no. 4 (2012): 499-514.

Perry and Alvi (2011) [15] refer to the *'in terrorem effect of hate crime'* in their findings into hate crime in Canada, with groups experiencing similar emotions and reactions as the individual victim. This included *'shock, anger, fear/vulnerability'* and responding with self-surveillance indicative of behavioural change. Iganski (2001)[16] identifies similar findings in his research in Boston, Massachusetts with reactions varying between those who experience property crime, for example, to hate crime. The former can be experienced by anyone, the latter is specific to individual characteristics that promote vulnerability to whom and what you are and how you experience the world. Victims themselves identified specific *'psychological trauma'* because they were *'chosen for something about myself that I can't change, that is at the core of my being'*. In one case, the victim referred to hate crime as a *'message crime'*, with communication being sent as to what is and is not acceptable.

Given the impact of hate crime on both the individual and community, Iganski (2001)[16] identifies harm to *'societal norms and values'*. Whilst one must remember there are numerous motivating factors behind hate crime (Walters & Brown 2016),[17] some are more likely to harm norms and values. Perpetrators may be motivated to defend their community if they feel under threat by minority groups, such as economically through job competition, or if a group's characteristics are at odds with their viewpoint on community values.

Walters and Brown (2016)[17] refer to the *'intergroup threat'* that has been identified by social psychologists, with comparisons made between the *'ingroup'*, characterised as the majority, and *'outgroup'*, the minority. This promotes what they refer to as *'tangible conflicts of interest'* between the *'outgroup'* whom the majority do not identify with nor seek to belong, and the *'ingroup'*, seeking to defend their resources or *'way of life'*. The *'ingroup'* may feel their *'way of life'* is challenged and threatened which gives rise to prejudice motivated by a wish to protect norms and values. Likewise, competition between the two groups can be broadened out to encompass any *'outgroup'* that seeks to compete for limited resources, particularly resonant today with austerity. This can explain why disabled people face increasing levels of hate crime.

However, it must be stated that this is argued too simplistic a view of hate crime and ignores the intersectionality of prejudice. For example, Chakraborti (2014)[9] demonstrates its complexities with perpetrators of religious, *'racist'* and homophobic hate crime sharing the ethnicity and sexuality of their victim. Chakraborti[9] also found a *'significant proportion (50%) of hate crime victims were targeted because of more than one of their identity characteristics'* that demonstrates multiple and intersecting prejudices held by perpetrators. The *'ingroup'/'outgroup'* argument also hides the so-called *'"ordinariness" of hate crime'* with some perpetrators *"ordinary"* members of the public rather than members of ideologically-inspired groups. This is an important characteristic of perpetrators as it recognises the prejudices held by individuals which have repercussions on how best to challenge this prejudice. Given all of this, it is important when responding to hate crime that a bespoke service is offered that recognises the individuality of the victim.

[15] Perry, Barbara, and Shahid Alvi. "'We are all vulnerable' The in terrorem effects of hate crimes." International Review of Victimology 18, no. 1 (2012): 57-71.

[16] Iganski, Paul. "Hate crimes hurt more." American Behavioral Scientist 45, no. 4 (2001): 626-638.

[17] Walters, Mark, Rupert Brown, and Susann Wiedlitzka. "Preventing hate crime: emerging practices and recommendations for the effective management of criminal justice interventions." (2016).

A means of resolving the individual and community harm caused by hate crime emerged in many submissions who recommended restorative justice. Restorative justice is seen as an appropriate criminal justice response given it goes beyond punishing the perpetrator by seeking to resolve the underlying hate that can have positive ramifications across the whole community (Walters & Hoyle 2011)[18]. This is discussed in greater detail later.

[18] https://journals.sagepub.com/doi/abs/10.1177/0269758011422472?journalCode=irva

How does online hate speech and hate crime impact on community cohesion?

The University of Sussex conducted a study with 774 LGBT++ participants to measure the impact of online hate on community cohesion. Of the participants in this study, 38% had been victimised online and 57% knew someone who had been victimised online. They found that the impacts were *"significant and wide-ranging, even when we statistically controlled for the impact of other experiences of hate crime"*. People who had personally experienced online hate tended to show more avoidance strategies, have greater concerns around security and greater levels of approval for retaliation against their attackers (as stated above, what form this retaliation might take was not detailed). People who knew those who had been victimised online showed a greater tendency towards community involvement and raising awareness of hate crimes.

The LGBT+ community is currently experiencing a high level of community discord within certain sections. This is being heavily influenced using social media platforms like Twitter to attack individuals or groups. As much of this is intra-community in nature, it will be discussed in greater detail in the next section.

The submission by South Tyneside Borough Council focussed largely on the sub-category of hate crime known as 'mate crime', i.e. the exploitation of learning-disabled people by perpetrators posing as their friends. This form of abuse is often financial, physical or sexual in nature. The submission highlights the correlation between rates of mate crime and the rise of social media as these platforms provide greater opportunities for perpetrators to identify and exploit victims. They discuss how young adults and adults who have unsupervised use of online platforms (e.g. not under the supervision of parents or teachers) are at even greater risk of exploitation.

The phenomenon of 'fake news' can also have an impact on the levels of online hatred when untrue stories are presented as factual via platforms such as Facebook. For those who already hold prejudices against the targeted groups, this merely fans the flames of their intolerance, and those individuals who might not commit hate crimes on the street are persuaded that joining in with online attacks is perfectly justified. The submission from Devon and Cornwall Police gives an example of this.

The group Stop Funding Hate submitted evidence pertaining to the UK media's role in inflaming tensions and increasing the levels of intolerance in society. They quote Professor Neil Chakraborti of Leicester University states:

> *When ordinary people have a political mandate to blame those who are different for society's ills then the shackles of human decency are stripped away.*

They also quoted the United Nations High Commissioner for Human Rights, who, in 2015, said:

> *Asylum seekers and migrants have, day after day, for years on end, been linked to… almost every conceivable crime and misdemeanour imaginable in front-page articles and two-page spreads, in cartoons, in editorials, even of the sports pages of almost all of the UK's national tabloid newspapers*

Given that more and more people access news and current affairs online, this tarring of entire communities as somehow 'harmful' by large parts of the UK media can be argued as a form of online

hate. Submissions from groups who work with the GRT community support this hypothesis, as they detail some of the abusive and hate-filled posts that appear in the comments sections for such articles.

One of the submissions received by the APPG on Hate Crime on a private individual basis was from the mother of a trans child. In her submission, she attests to her own experience of a marked increase in anti-trans sentiments being expressed online, particularly through Facebook groups, Twitter and sections of websites like Mumsnet. She explains how online hate can be particularly damaging for trans people, particularly young trans people, as online communities are especially important due to the 'real world' being *"an environment where trans people are targeted, ostracised and judged for their physical appearance"*. An increase in online hate speech is contributing to trans people withdrawing from their online networks, which can be a key form of support and community for them.

Online abuse can have serious physical consequences. The practice of doxing, for example, refers to a victim's personal information and data being obtained and disseminated with malicious intent by perpetrators. This can result in individuals and their families being placed at significant risk of harm. In more general terms, online hate can contribute to the normalising of these extreme views, which in turn emboldens people to abuse and assault people on the street, on public transport, in shops etc. The submission from Mermaids, a charity which assists trans children, refers to this, where segregation and exclusion begins online and then spills over into offline harassment and abuse.

The charity Glitch! UK works to combat and end online abuse in the UK. Their submission to the enquiry dealt exclusively with online hate speech and attacks. They point out that the online space has been *"used directly as a tool for making threats of physical and/or sexual violence, rape, killing, hate speech, unwanted and harassing online communications, or even the encouragement of others to harm women and people of colour physically"*. They reported that black people tend to report far more incidents of online harassment simply for their colour rather than for expressing a particular opinion. The online abuse received by public figures such as Diane Abbott MP has led many women to reconsider a career in arenas such as politics due to the risk of online hate abuse. They go on to state that *"Democracy only works when representatives reflect their communities and online abuse is becoming an additional barrier for women and people of colour standing for public office positions"*.

The submission from Mermaids states that: *"Creating transphobic communities is easier to online than in person and again, until this is managed appropriately the overarching community will continue to be fragmented"*. It can be argued that the word 'transphobic' in this statement can be replaced with a range of others (e.g. anti-Semitic, Islamophobic, homophobic, racist, anti-disability) and remain relevant.

Online hate has been found to be extensive, demonstrated in the research of LGBT+ and Muslim respondents, with 83% of the former and 86% of the latter reporting they were *'directly targeted online'* (Paterson et al. 2018)[12]. Even greater was the number who knew a victim of online hate, 86% for LGBT+ and 88% for Muslim respondents, demonstrating the indirect impact that online hate can have. This is supported by the submission from the CPS who recorded a 50.8% increase in the prosecution of online hate crimes in 2016/2017 compared to 2014/2015.

Experiencing online hate has been shown to have similar implications for the victims as offline hate, including psychological and behavioural responses. Awan and Zempi (2015) [19] refer to online hate as a *'continuity'* of offline hate. They argue that the two should be examined together as a whole rather than as separate entities given the linear nature of one into the other. However, incidents of online hate crime are under-researched in comparison to offline hate crime, despite its seemingly omnipresent nature. Recently, London Mayor Sadiq Khan has announced a new unit designed both to target online hate and improve victim services.[20] This will hopefully bridge the gap between research and policy responses. A failure of social media companies to get to grips with the scale of online hate has exacerbated the belief that statutory agencies are failing to keep up with the implications of online hate.

In their research into the effects of hate speech on members of the Indigenous and minority ethnic communities in Australia, Gelber and McNamara (2016) highlight the different types of harm that have been identified resulting from hate speech, differentiating between *'constitutive'* and *'consequential'*.[21] The former relates to harms caused by the voicing of hate, the latter from the results of hate speech. They cite the *'psychological distress and risk of destruction to one's self-esteem'.* In their own findings, they confirm the status of *'constitutive'* and *'consequential'* harms, with the former inciting a range of responses as follows:

> *…subordination, silencing, fear, victimisation, emotional symptoms, restrictions on freedom, lowering of self-esteem, maintenance of power imbalances, and undermining of human dignity*

Of the latter, consequential harms include the distribution of spurious stereotypes relating to minority communities which encourages the normalisation of racism and imitation of hate speakers. However, Gelber and McNamara (2016) explain the individuality of victims including their response to hate crime, reminding us that reactions will vary.[21]

In his research into the use of social media to spread hate speech, Awan (2014) [22] examined the rise in online hate including death threats directed at Muslim communities in the aftermath of the terroristic killing of the British soldier Lee Rigby, in Woolwich, in May 2013. Twitter is a particularly popular site as it allows hate to be spread to a wide audience whilst maintaining the relative anonymity of perpetrators. This has been supported by research carried out by Tell MAMA[23]. *'Cyber-hate'* is said to provide a safety barrier between the perpetrator to victim given the virtual nature of the Internet, allowing the perpetrator to *"'control' and target 'opponents' considered to be a threat"*. This exacerbates a relationship between the *'dominant'* (perpetrator) and *'subordinate'* (victim), encouraging both *"lone wolf"* and *"hate groups"* to utilise the internet to spread hate (Awan 2014)[22].

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[19] Awan, Imran, and Irene Zempi. "'I will blow your face OFF'—VIRTUAL and physical world anti-Muslim hate crime." The British Journal of Criminology 57, no. 2 (2017): 362-380.

[20] "Mayor Launches New Unit to Tackle Online Hate Crime." London City Hall. Last modified May 4, 2017. https://www.london.gov.uk/press-releases/mayoral/mayor-launches-unit-to-tackle-online-hate-crime.

[21] Gelber, Katharine, and Luke McNamara. "Evidencing the harms of hate speech." Social Identities 22, no. 3 (2016): 324-341.

[22] Awan, Imran. "Islamophobia and Twitter: A typology of online hate against Muslims on social media." Policy & Internet 6, no. 2 (2014): 133-150.

[23] Awan, Imran, and Irene Zempi. "We fear for our lives: Offline and online experiences of anti-Muslim hostility." Available at: https://tellmamauk.org/wp-content/uploads/2017/05/We-Fear-For-Our-Lives.pdf (2015).

Taking the example of Muslim communities, far-right groups such as the English Defence League have used the Internet to coordinate hate against them as a means of spreading spurious stereotypes. Awan (2014)[22] examined 500 tweets sent by 100 Twitter users, identifying most perpetrators as male (72%) and based in the United Kingdom. The seriousness of the hate Awan[22] examined can be understood when he refers to large numbers of online comments as having an *'extremist and incendiary undertone'*. Included in these threats are calls to burn down mosques and kill Muslim babies.

Tackling online hate crime requires recognition of its seriousness and a certain degree of catching up with processes in place to deal with an offline hate crime, as referred to above. Awan (2014)[22] argues it requires a *'multifaceted and international approach from different agencies'* including social network companies such as Twitter and the police. These sites, he argues, *'resemble a virtual minefield of hate'*.

The use of online platforms to spread hate can be identified as impacting community cohesion, particularly with coordinated messages seeking to misrepresent communities. For example, the English Defence League and other far-right groups promote a view of Muslim communities through several spurious stereotypes. The Rotherham sexual exploitation scandal was, for example, exploited by far-right groups who seek to portray Muslim men collectively, and by extension their Islamic faith, as predatory, which sanctifies child exploitation. This grossly offensive stereotype continues to cause tensions and find mainstream acceptance. Similarly, with beheadings carried out on behalf of ISIS and widely circulated on social media in 2014 and 2015, along with terrorist attacks carried out around the world including the United Kingdom, Muslims are collectively viewed as terrorists and an existential threat to cohesion.

In Awan's analysis of Facebook to spread anti-Muslim hate, he identified key repetitive words characterising posts, Rapists (24), Paedo (22) and Terrorists (22) three of the most frequent (Awan 2016).[24] The think-tank Demos (2011) meanwhile argue that online anti-Muslim hate is a means by which far-right groups across Europe can tap into *'public disenfranchisement within society to promote an agenda of protecting national identity'[25]* (cited by Awan 2016).[24] The use of social media allows a community of sympathisers to be easily accessed, and, in turn, helps to attract younger people to such ideological movements.

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[24] Awan, Imran. "Islamophobia on Social Media: A Qualitative Analysis of the Facebook's Walls of Hate." International Journal of Cyber Criminology 10, no. 1 (2016).
[25] Bartlett, Jamie, and Mark Littler. "Inside the EDL: Populist politics in a digital age." (2011).

How does hate crime contribute to intra-community tensions, including extremism?

It has been noted that exposure to hate crime can drive people to become a more involved member of their communities, helping to improve cohesion between different groups. However, the enquiry received many submissions that highlighted how hate crime, or the perception of hate crime, can increase intra-community tensions and drive some people towards radicalisation and extremism. The online arena is a fertile breeding ground for these problems.

Devon and Cornwall Police discuss how the isolating effects of hate crime can make victims more vulnerable to a range of consequences, including radicalisation and criminal activities. The overall rhetoric of 'us' versus 'them' that is used by perpetrators can also contribute to intra-community. The British Transport Police (BTP) state that they believe there is a link between hate crime, community cohesion and extremist incidents.

The submission from Stop Hate UK, a confidential service for victims of hate crime, argued in their submission:

> *If people feel they are not protected from hate crime by the authorities they may turn outside of the system for protection, bringing risks of insularity, vigilantism and vulnerability to radicalisation"*. They go on to state that experience of hate crime may generate *"feelings of mistrust, unfairness and injustice and deep suspicion of 'others'*

Currently, there is a great deal of intra-community tension between certain sections of the LGBT+ community, with sections of the wider female population also involved. These tensions revolve around the debate surrounding transgender rights and the proposed changes to the Gender Recognition Act (2004). The arguments are largely centred around women's rights regarding identity, protected spaces and how these might be affected by the inclusion of male-to-female trans people. Of the submissions sent to the APPG on Hate Crime by private individuals, a large proportion was concerned with this issue and was sent by individuals on both sides of the argument. None of the individuals who submitted evidence to the APPG on Hate Crime under their own names will be named in this report.

Some women have raised concerns over people who identify as female but are still to some extent 'biologically' male being allowed to use women-only spaces such as female changing rooms or toilets. They object that the terms sex and gender are being used interchangeably and the idea that gender identity is being used to erode sex-based rights and protections. This is argued as being a form of misogyny. They argue that women who object to the inclusion of trans women as female are attacked both online and, in the street, with the term 'trans-exclusionary radical feminist' (or TERF) being used as a term of abuse.

Several of the submissions referred to a few women's gatherings that were targeted for harassment and threats by trans activists, including a bomb threat made against a meeting of the group A Woman's Place in Hastings. They also referred to the assault of 60-year-old Maria McLachlan by trans activist Tara Wolf. Ms McLachlan's experiences in court, where she was reported to have been made to use Ms Wolf's preferred pronoun, are also cited in several submissions. One submission spoke of the author's experiences of being targeted and her personal details leaked online due to her membership

of the feminist protest group Man Friday. Other personal submissions contained the following statements:

> *"Discussing our [women's] sex based legal rights and stating biological facts online has also become dangerous and our views censored… Misogynist posters on twitter actively encourage violence against women, especially feminists who speak biological truths. For example, wearing 'punch a TERF' t-shirt."*

> *"Hate crime and speech against females, particularly lesbians and feminists is pervasive and toxic presently… threats on social media are also directed at females, lesbians and feminists if we express an opinion… that particular males do not agree with. These males and their supporters regularly claim that women and lesbians can have penises and any female/lesbians who disagrees is a TERF… who deserves to be raped, die in a fire… etc."*

> *"This year alone I have contacted the police twice over vile and threatening misogynistic messages received over social media – so vile and persistent in their sexist and violent language they left me frightened for my own safety… This is happening from a very specific community. A large and hard-line community of Trans Rights Activists."*

> *"Trans activists threaten women with rape with a 'lady penis', slow torture and death for not agreeing with the idea that a woman is just an identity."*

Several of the submissions also included screenshots of social media posts (predominantly Twitter) that contained threats and encouragements of violence towards 'TERFs'. It can easily be argued that this constitutes hate speech under the Criminal Justice Act 2003, which people have been successfully prosecuted for. However, under the legislation as it currently stands, it would be difficult to successfully report this as hate speech as it is not completely clear if the abuse refers to lesbians (sexuality is a category of hate crime) or women (sex is a protected characteristic under the Equality Act 2010 but not a hate crime category under the Criminal Justice Act 2003).

On the other side of the divide, there are trans activists and their supporters who are reporting similar attacks. Several submissions refer to the presence of a trans-exclusionary group at the head of the London Pride march in July 2018 and the responses to that. One submission state that *"Prides final statement… does little to paper over the cracks of transphobic attitudes within the 'Gay' community where T-N-B* [trans or non-binary] *people often feel unwelcome or on sufferance… When those you see as your own people do not accept or support you this is perhaps the hardest form of rejection to accept,"*. The same submission (written by someone with both professional and personal experience of these issues) goes on to state that:

"The updating of the Gender Recognition Act is being used as a focus for transphobic groups using emotive language, cis-women [a term used to describe non-transgender women] will be sexually assaulted by penis wielding T-N-B women in public toilets or changing rooms, women only spaces will be invaded by misogynistic 'men' who only put on a dress to invade and invalidate those spaces."

Other submissions make statements including:

> *"Innocent trans women and girls can be painted as potential rapists before committing any crime."*

"Lecture tours have been organised around the UK where trans women are described as a threat to cis women and where parents supporting trans children are accused of child abuse."

"I have noticed a marked increase in polarisation of extreme anti-transgender views through the growth of certain platforms and anti-trans coverage in the national media."

"I am aware of another instance where a letting agent tried to increase rent to 50% above market by telling the tenant [a trans woman] that she would be deliberately and repeatedly misgendered unless they agreed the new rent."

Both sides of the argument illustrate that intra-community tensions are running high around this topic and that there are some on both sides of the divide who are resorting to extreme measures and tactics. On one hand, there are clear examples of threats and calls to violence against women, whilst on the other vulnerable people are being made to feel unwelcome, that they are viewed as a threat and that their identity is invalid. It should be clear that neither is acceptable.

The enquiry also received submissions from several charitable organisations that referred to this issue. On both sides of the divide they support individual views and cite similar evidence. On each side, people and organisations recognise that the extreme views and threats come from a particular group and are not representative of that section of the community, but also there are statements that make sweeping generalisations about that group, often negatively. For example, that a trans person who identifies as male might *"in fact be opportunistic abuser"*, that refer to the *"real sufferings of actual groups of people,"* and that *"mentally healthy people do not harass others in this manner"*. To a relevant person reading these statements, it could well seem as though they are being dismissed along with the rest of their community.

Examining a further example of intra-community tension, the EU referendum (colloquially known as Brexit) in June 2016 unleashed negative consequences upon many minority communities in the UK, seemingly within the context of *'taking the country back'* (Burnett 2016).[26] The Institute of Race Relations reported a *'numerical upsurge'* in racist incidents following the referendum, and the media reported seven times more incidents over the ensuing month (Burnett 2016). The nature of the attacks was serious: characterised by physical assaults, threats to life and stabbings (Burnett 2016).[26] Those speaking foreign languages were challenged, young children were targeted, and there appeared an intensity to the hate through an 'othering' of 'them' (foreigners) to 'us' (British) (Burnett 2016).[26]

However, simply explaining it within the context of Brexit is said to fail to apportion blame where it should be laid, notably with certain politicians and their burgeoning support of far-right policies. The Institute of Race Relations argues that the rhetoric of far-right groups is similar in character to that currently espoused by mainstream political parties demonstrating an overlap in attitudes held towards minority communities. Allen (2010)[27] has documented how preceding Brexit, anti-Muslim hate was characterised by demanding Muslims *'live by 'British rules''*. This *'found a voice across the entire spectrum of British politics'* incorporating both left and far-right political ideology (Allen 2010)[27]. Such has been the welcome afforded it that the far-right British National Party were influenced enough to refocus their agenda from 'race' to anti-Islam, with *'unprecedented gains'* then made in the local

[26] Burnett, Jon. "Racial violence and the Brexit state." Race & Class 58, no. 4 (2017): 85-97.

[27] Allen, Chris. "Fear and loathing: The political discourse in relation to Muslims and Islam in the British contemporary setting." Politics and Religion Journal 4, no. 2 (2017): 221-236.

elections of 2006 (Allen 2010)[27]. The specific discourse of Brexit is the concept of *'taking the country back'*, synonymous with far-right opinions but also emerging from the various campaigns supporting the Leave argument (Burnett 2016)[26].

How does hate crime impact children and young people?

Children and young people are particularly susceptible to the harms caused by hate crime and prejudices, both as victims and through exposure to the narratives of perpetrators they may be close to (e.g. family members). Stop Hate UK claim to have seen examples of young teenagers being groomed to support hateful narratives. They also point out that observers of hate speech *"may absorb some of these hateful narratives"* and that online hate *"can lead to some individuals becoming vulnerable to extremist narratives"*. Given that children and young people spend a large amount of their time online via smartphones and tablets and a significant proportion of their social activity takes place via social media and messaging platforms, they can be seen to be an especially vulnerable population in this context.

The submission from The Equality Practice supports this view. They argue that young people are more likely to be exposed to prejudice *"via the internet and its social media platforms. Of course, younger people, especially children, are also exposed to their parents and grandparents' prejudices. It could be argued children are doubly vulnerable"*.

The charity Protection Approaches argued in their submission:

> *Social marginalisation of young people can operate as a powerful driver towards violence, prejudice and crime, not only because individuals resent being socially excluded but indirectly in several ways such as: it may result in young people having too much time on their hands or contribute to perceptions of real and imagined grievances*.

It is recognised that individuals who seek to groom or recruit young people into group/gang/ideology exploit such resentments to foster a sense of disconnection from wider society that the recruiters can then offer to fill. The APPG on Hate Crime received a submission from a survivor of the Rotherham sexual exploitation scandal. In her submission, she states:

> *I witnessed the ways young men are groomed to become perpetrators by older grooming gang members. It's very similar to the tactics used in grooming for terrorism, with love-bombing, emotive language… then humiliation, controlling with guilt and shame… and instilling hate and fear of outsiders*.

This is a deeply disturbing example of how the perceived grievances of marginalised young people can be used as a potential recruitment tool by ruthless and dangerous individuals.

The submission from Dr David Lundie highlights findings from a survey he conducted with school leaders where what he describes as a significant minority of participants (38.1% of 312 responses from senior school leaders) have had parents request selective withdrawal of their children from part of the Religious Education (RE) curriculum. His results indicate that these requests largely centre around the teaching of Islam which has raised concerns over anti-Muslim prejudice and racism. As a passive observer of such behaviour and requests, it could be seen how children may absorb their experiences and translate them into their own prejudices and intolerances.

In their submission, Tell MAMA highlighted patterns of age for both victims and perpetrators of anti-Muslim and Islamophobic incidents. The leading age group for victims was 26 – 35 (victims were

predominantly female), whereas for perpetrators the most frequently recorded age group was 13 – 18 (and mainly white and male, where data was available).

Evidence submitted to the APPG on Hate Crime suggests that young people are particularly vulnerable to becoming perpetrators of hate crimes themselves, which exposes them to the real risk of a life restricted by criminal records.

As well as the risks surrounding young people being persuaded to adopt various prejudices and becoming hate crime perpetrators, children and young people are also highly vulnerable to becoming victims. The submission by Glitch! UK cited research that indicated 1 in 8 young people had been bullied on social media. They also highlight the increase in reporting of young suicides and self-harming cases and raise concerns that there may be a link. The submission from the Anti-Bullying Alliance (ABA) cited research by the teaching union the Association of Teachers and Lecturers (ATL) that showed over 20% of their members thought that pupils had been subjected to hate crime and hate speech in the previous year alone.

Several submissions highlighted the negative experiences of particular groups of children and young people, primarily in an educational setting. One group where hate speech and racism have a major effect on their educational attainments is GRT children. The submission from GATE Herts provides evidence of this. They quote from a 2014 study which suggests that 90% of GRT children experience racial abuse at school, with 66% suffering physical attacks. Children from GRT families tend to stop attending school regularly after the age of 14, and the GRT community is the most under-represented group in UK universities. GATE Herts cite the educational news outlet Schools Week as saying that only 200 GRT students attended university in 2016. They also highlight that only ~4% of GRT people aged 18 – 30 access higher education compared with a national average of 43%.

The submission from The Traveller Movement supports this. They refer to a House of Commons briefing paper from 2017 'Gypsies and Travellers' which states that only 11% of GRT children achieved a 4 or C grade in GCSE Maths and English compared to 64% nationally. The submission from Dr Zoe James focussed on the experiences of GRT families. She quoted participants as saying:

> *"Son currently not in school through bullying. Missed school trip for fear of bullying… Son has been out of school since June awaiting help form LEA, nothing has happened so far."*

> *"I did take my daughter out of Year 7 because of bullying related to her living in vehicles."*

The evidence sent to the enquiry indicates that hate speech and racism are key factors behind GRT children's lack of educational attainment as a group. If confirmed, this is a measurable and deeply negative impact of hate crime on children and young people.

Tell MAMA provides examples of how Islamophobia impacts on the lives of young Muslims. Both of the following examples occurred in the aftermath of the Manchester Arena bombing in 2017. In one instance, a Muslim family had to move home after being targeted by a racist neighbour who hurled abuse at them, referring to them as *"dirty Muslims"* and after the bombing as *"terrorists who did the Manchester bombing"*. This sort of abuse and the upheaval that having to be relocated would have caused would clearly have affected the children of this family. Another case study cited by Tell MAMA concerned a teenage Muslim girl "*who was surrounded by a group of her peers from school shouting about "ISIS" and threatening her due to her Muslim identity. Some students even asked her for her*

whereabouts when the Manchester attack occurred". Again, this sort of openly racist abuse and bullying would obviously have an impact on the victim.

Mermaids cite evidence from Stonewall which, in 2017, found that *"almost half of transgender school pupils (45%) in the UK have attempted suicide"*. They also highlight other impacts of hate crime or the fear of being subjected to hate crime on trans children. These include the suppression of the child's true identity, which can, in turn, lead to mental health issues and the potential to remove themselves from school (become a 'school refuser') as a means of protecting themselves from such abuse.

The ABA submission highlighted several statistics on hate-motivated attacks and incidents in schools. Their evidence suggested that race and religion are not leading causes of attacks and harassment against pupils (10% of bullying victims believed it was due to their race, 4% due to their religion). Instead, students with special educational needs and disabilities (SEND) were targeted quite severely (children in this category are twice as likely to have been bullied at school) and LGBT+ students as well (nearly half of LGBT+ students report bullying and 10% of trans students have received death threats at school).

Many of the submissions sent by private individuals dealt with various forms of misogynistic abuse. Many of them mentioned the increased rate of sexual harassment of girls in school by male pupils and sometimes staff. Again, it must be remembered that attacking someone on the basis of their sex cannot be classified as a hate crime, but as has been indicated elsewhere in this report, often women and girls who are targeted are attacked not just because they are female but also because of some other characteristic (e.g. Tell MAMA reports that more Muslim women are attacked in part because they tend to be more visibly Muslim through aspects of their clothing etc).

There appears to be limited research specifically focusing on the harms caused by hate speech on children and young adults. However, in a report investigating children's use of the Internet, Ofcom (2016) [28] found a third of those aged 12 to 15 had seen online hate speech, 34% over the past year, with 7% saying they saw it *'often'* and 27% *'sometimes'*. The amount of time spent online by children means the availability of online hate speech is concerning. Children aged 3-4 were spending an average of 66 minutes online on a school day, and children 5-15, 114 minutes. The longest amount of time was in the age bracket 12-15, at 150 minutes on a school day (Ofcom 2016)[28]. The use of social media sites was significant, with Facebook used the most by 8-11-year-olds and 12-15-year-olds. When asked if they had been warned about the dangers of online space, the figures are initially positive, with 92% of 8-11-year-olds and 96% of 12-15-year-olds stating they had been (Ofcom 2016).[28] However, those aged 8-11 were '*less likely now than in 2015 to say they have been given any information about this'* (Ofcom 2016).[28]

Ofcom's findings also demonstrate differentiation between online experiences of children given their socio-economic backgrounds, with children in C2DE households (skilled working class) stating they have *'often'* seen hate crime over the previous twelve months compared to children of ABC1 households (upper middle class) (10% to 5 %) (Ofcom 2016)[28]. However, children in C2DE households *'are no more likely than those in ABC1 households'* to state they have witnessed hate speech online over the preceding twelve months (Ofcom 2016).[28]

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[28]Ofcom, U. K. "Children and parents: Media use and attitudes report." (2016).

How does hate speech impact on the emotional and mental health of victims?

The American Psychological Association has described hate crime as an attack that *"takes place on two levels; not only is it an attack on one's physical self, but it is also an attack on one's very identity"* (cited by GATE Herts). With this definition in mind, it is not surprising that victims of hate crime can suffer long-lasting and deep mental and emotional consequences. A common thread of many of the submissions is the impact on victims' mental and emotional health.

Stop Hate UK cites figures from the British Crime Survey (2014/15) that demonstrate an increase in emotional impact on victims of hate crime compared to crimes not motivated by prejudice or hostility (e.g. 25% of hate crime victims experience depression compared to 8% of victims of non-hate motivated offences).

The University of Leicester's submission quoted from some of its participants who gave statements including:

"I developed PTSD, social anxiety, depression, suicidal ideation."

"It [hate crime] really destroyed my life. I wanted to commit suicide. It was two years of hell."

"My family needs psychological support. My two sons are afraid to go outside."

Submissions from within or supportive of the transgender community also highlight the severe mental health impacts that hate crime has. The submission from Mermaids cites figures stating that *"80% of trans people have experienced self-harm and over 40% have attempted suicide as a result of their broader experiences of abuse and discrimination within society."*
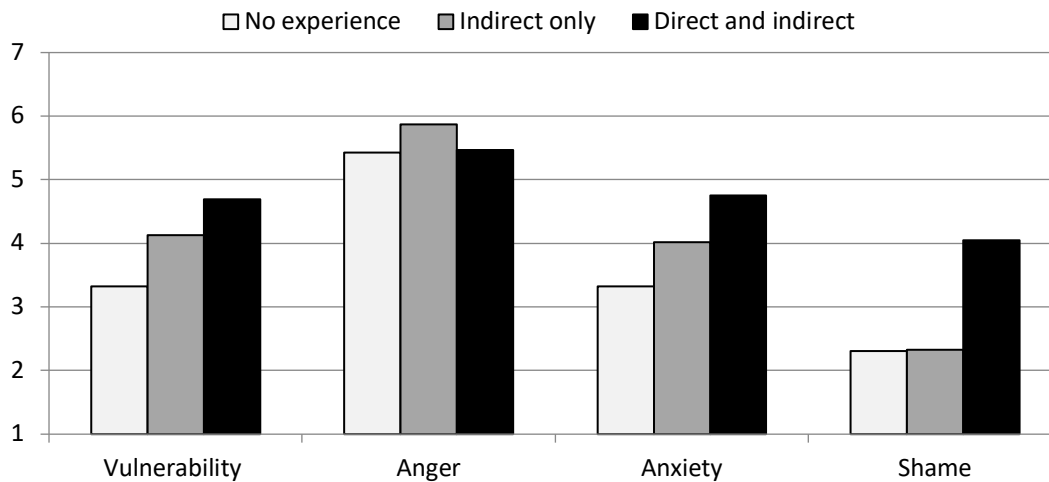
The submission from Tell MAMA cited the impact Islamophobia and anti-Muslim hate crime has on mental wellbeing. They discussed an example of a Muslim shopworker who ended up contemplating leaving his job due to the damage being done to his mental health by the discriminatory abuse he received from staff.

Inclusion London states that *"Abuse and physical threats…inhibit disabled people's daily lives, with individuals too fearful to go online or leave their houses alone."* If an individual feels unable to leave their house or engage with others online, they become isolated which can exacerbate existing emotional and psychological issues. They also highlight an instance where a victim of online disability hate crime was driven to a point where they became suicidal. The BTP stated in their submission that they would like to see a focus on the effect hate crime can have on mental health. They also raised the possibility of a link between hate crime and suicidal behaviour. In 2016/2017, there were 273 suicides or suspected suicides involving the railways that the BTP would have been called to investigate.

The study carried out by the University of Sussex gathered data on the emotional responses of participants. The chart shown here summarises their findings, where they compared four negative emotional responses for people who had no experience of hate crime, those who knew a victim of physical assault and those who had been physically assaulted themselves. The data was gathered after participants read an article on hate crime and focussed on LGBT+ participants (n=589). For this
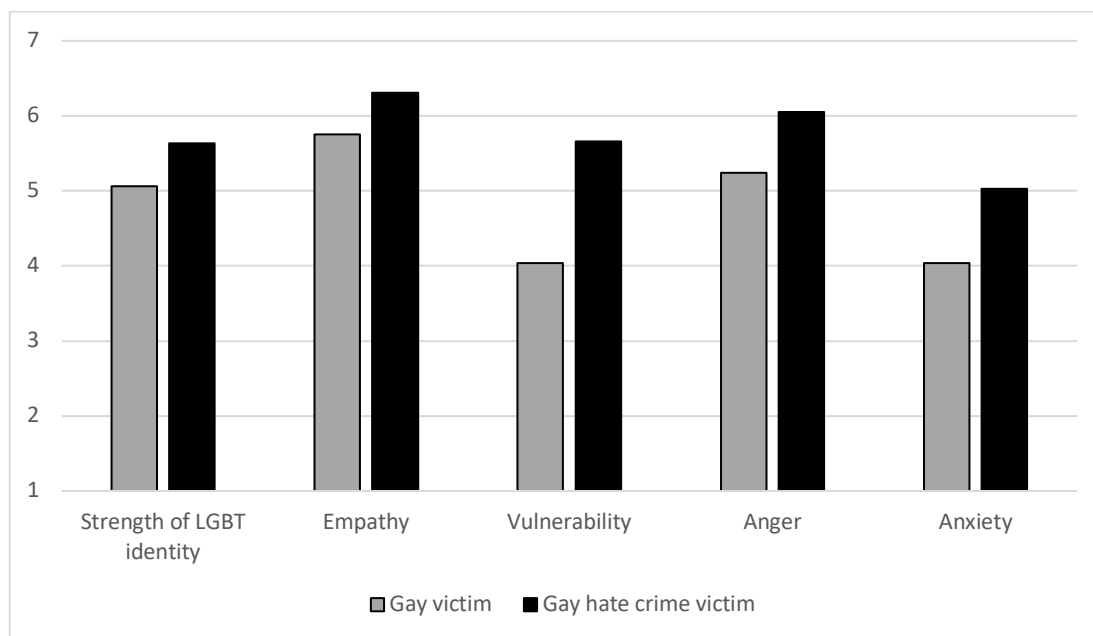
exercise, participants were asked to rate how they felt on a scale of 1 (not at all) to 7 (very much so). They were asked to rate their responses in terms of vulnerability, anger, anxiety and shame. Of these, anger was the only one that did not show a positive correlation with increasing levels of exposure to hate crime. The biggest difference could be seen with the response of shame, where participants who had direct experience of hate crime showed a response that was twice as powerful as those who had no experience. When the existing stigma around mental illness is taken into consideration, it can be seen how increased levels of shame could contribute to victims hiding the psychological consequences of their experiences, which can make existing problems worse.

Source: University of Sussex submission

To consolidate the findings, the study also conducted an experiment in which 102 LGBT+ participants were given an article to read which described a physical assault on a gay man. Half were told that the attack was motivated by hate and the other half were told it was a case of mistaken identity. They were then asked to rate their reactions on the same 1 to 7 scale, and the results are shown below.

Source: University of Sussex submission

Results such as these, when combined with the powerful testimonies received by the enquiry, clearly demonstrate the profound and damaging impact hate crimes have on victims from all communities. Combined with the stigma surrounding mental illness, particularly amongst certain communities (e.g. parts of the Muslim community, the unwillingness of men to open-up about their feelings), these findings present a sobering and deeply concerning picture of the aftermath of hatred.

In further findings from Gelber and McNamara (2016),[21] harms caused by *'public hate speech'* included loss of *'worth and dignity'* and feelings of negativity that were difficult to override, particularly when attacks were repetitive. Their findings support the work of Delgado (1993) [29] who found that hate speech does not need to be tantamount to a public order offence for it to still cause *'direct, immediate, and substantial injury'*. Whilst such incidents may not garner national newspaper coverage or be the focus of political commentary, the nature of this type of hate crime demonstrates the normalisation of hate crime in the lives of victims, a point referred to within submissions to this enquiry. Similarly, Ferdinand et al. (2012) [30] found evidence of the harm caused by multiple experiences of racism. Amongst their sample of Aboriginal communities in Victoria, Australia, who had experienced over twelve racist incidents, 50% experienced *'high' 'psychological distress'* and 65% *'very high levels of psychological distress'*. The multiplicity of racism is significant in reminding us of the normalisation of prejudice in the lives of certain minority communities. Hate is also said to have significant consequences on the individual and community, with an argument that it limits community participation (Gelber & McNamara 2016)[21]. Several of the submissions also made this point.

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[29] Delgado, Richard, and David H. Yun. "Pressure valves and bloodied chickens: An analysis of paternalistic objections to hate speech regulation." Cal L. Rev. 82 (1994): 871.

[30] Ferdinand, Angeline, Yin Paradies, and Margaret Kelaher. Mental health impacts of racial discrimination in Victorian Aboriginal communities. Lowitja Institute, 2013.

Recommendations – What Can We Do To Build Community Cohesion?

What schemes, initiatives and projects exist to build community cohesion in the face of rising hate crime?

Many the submissions received by the APPG on Hate Crime highlighted a range of different schemes, initiatives and projects that are already in place and working to help build or improve community cohesion on a local and national level. This section will highlight these and subsequent sections will refer to some of these schemes and initiatives as appropriate.

One frequently cited area for current projects and initiatives was education. There were several examples of charities and other organisations working with and in schools to promote a better understanding and acceptance of diversity within communities and to enhance cross-cultural dialogue and engagement.

As has been mentioned previously in this report children and young people are particularly vulnerable to online hate, both in terms of their potential to be persuaded and recruited by material as well as falling victim to online hate crime themselves. It was encouraging to see examples of materials being made available to schools to combat this. Both Glitch! UK and Stop Hate UK spoke in their submissions of resources produced for schools aimed at raising awareness of the risks and dangers around online behaviour and bullying. Glitch! UK produce a package called the Digital Citizenship toolkit, whilst Stop Hate UK produce a package called 'No Hate Speech', both of which aim to promote responsible online discourse and behaviour and to raise awareness of what to do if unacceptable material or behaviour is seen online.

The CST cites the Stand Up! Education Against Discrimination material in their submission. Stand Up! is a project led by CST and Maccabi UK which is supported by Tell MAMA, Kick it Out (a charity that campaigns against racism in football) and Galop (an LGBT+ hate crime support service). The project has been running since 2016 and sends facilitators into secondary schools to deliver materials and work with students (primarily in Year 9) to learn about discrimination, racism, antisemitism and anti-Muslim hatred. It is funded by the Ministry of Housing, Communities and Local Government which means that Stand Up! does not charge schools for its services.

The EHRC also mentioned a toolkit for schools that it has been developing in conjunction with ABA. The stated aim of these resources is *"to raise awareness of the scale and impact of prejudice-based bullying in schools"*. Rather than straightforward teaching resources, this toolkit aims to *"help schools make improvements across a number of areas including celebrating difference, using the language of diversity, and creating an inclusive environment"*. The EHRC go on to recommend that schools should *"monitor identity-based bullying and use this information to inform and evaluate their anti-bullying strategies"*.

The submission from Protection Approaches highlighted the value of having diverse speakers invited to schools to address students to help them understand the value and strength that a diverse society

creates. The submission from Humanists UK highlighted research commissioned by the Department for Education as well as a joint research project run by the University of Bristol and the London School of Economics (LSE). Both studies showed that students who attended schools with a highly mixed student population were more likely to display more personal warmth and positivity to children of different backgrounds (e.g. race or religion) than those who attended more selective schools. It should be noted here that the schools Humanists UK referred to were faith-based which selected pupils based on their religion, but the studies quoted provide strong evidence that increased exposure to diversity can improve community cohesion amongst children and young people. They quote the Bristol/LSE report as concluding by saying *"the value to researching and implementing policies to encourage integration and contact is therefore clear"*.

There were two examples of how community sport can be used as a tool to build community cohesion. The Equality Practice cited an initiative they had championed in their local area called Common Ground, and South Tyneside Borough Council described their #WhoRYa initiative that used local football clubs to highlight the exploitation of learning-disabled people by perpetrators (mate crime).

Several submissions referred to the area of restorative justice (RJ) as a way of providing restitution and resolution to hate crime victims. The enquiry received academic research into the attitudes of hate crime victims to the use of RJ techniques as a means of helping them to move forward as well as evidence from charities that champion its use and organisations that have made use of RJ or have discussed it with their target communities. In all cases, RJ was looked on favourably.

Why Me? is a charitable organisation that champions and facilitates the use of RJ in a range of contexts. They made a submission to the enquiry detailing their research and work on the use of RJ in a hate crime setting. They describe RJ as:

> *A voluntary process involving the person who has suffered harm and the person who has caused harm. Trained facilitators work with victims and offenders to talk about what happened, who was affected and how, and what can be done to help repair the harm*.

They cited Government figures that showed that RJ can result in 85% victim satisfaction rates and a 14% reduction in the frequency of re-offending.

Why Me? state in their submission that they believe that RJ *"has the potential to allow hate crime victims to take back control of telling their story and having their voice heard. It also has the potential to bring the reality of victims' suffering into focus for hate crime offenders."* They also point out that the Victims Code of Practice states that if the offender is an adult then a victim of crime is entitled to receive information on RJ. The charity is currently working with two different police forces (Lancashire and Cambridgeshire) through an initiative called 'Access to Justice: Hate Crime and Restorative Justice'. These forces have been selected as they both run internal police-led RJ services.

Speak Out is an advocacy organisation which works with learning-disabled people in the Brighton and Hove area. They sent a submission based around a study they had conducted using 30 individuals that they had worked with. When they mentioned RJ to their participants, all except one said they would want the chance to tell the perpetrator how they felt. They all understood how it could work to help them. These are two quotes from study participants:

> *"I did tell someone once. They didn't care, but I felt more empowered, I was making a stand."*

"I suppose I would like to tell them. It would make me feel better inside."

The APPG on Hate Crime received two pieces of evidence linked to the work of Professor Mark Walters of Sussex University. One was sent by Professor Walters on an individual basis, the other where he was one of three authors based around the work done by the Sussex Hate Crime Project (led by Professor Walters alongside Professor Rupert Brown and Dr Jenny Paterson). The Sussex Hate Crime Project investigated the preferences of participants when presented with the choice of either enhanced sentencing for hate crime offenders or RJ. A clear majority (61%) preferred RJ to an enhanced sentence. They conducted an experiment where LGBT+ participants read an article about a hate crime where the perpetrator either received 12 weeks imprisonment or took part in an RJ process. Participants were given a range of statements and asked to rate them from 1 to 7, where 1 was the strongest level of disagreement and 7 was the strongest level of agreement. The results are shown below.

Source: University of Sussex submission

Participants tended to agree that, compared to a prison sentence, RJ provided more benefits for both the perpetrator and the victim, was less likely to lead to feelings of bitterness, anger and sadness and more likely to provide satisfaction. They say that *"it seems that RJ has the potential to help increase community cohesion not by setting additional punishments, but by promoting understanding and acceptance across communities"*. RJ is promoted as a solution given it ensures that the actions of perpetrators resolve both the individual victim's sense of justice and community. RJ is said to repair the community through *'renewing damaged interpersonal relationships or establishing legitimate connections between divided communities or people who have previously seen themselves as estranged'* (Walters & Hoyle 2011).[18] Restorative justice enables the perpetrator themselves to take

responsibility in repairing the damage caused by hate crime, providing a *'dialogic process'* with 'agency at its heart,' both on the part of the perpetrator and community affected (Walters & Hoyle 2011).[18]

The possibilities for RJ are said to be considerable, allowing an open and transparent dialogue between the victim and perpetrator through a process designed to educate, the implications of which can spread beyond the justice process itself back out into the community. Prejudices held by the perpetrator are challenged, the consequence of which is to promote more positive attitudes towards specific communities and diminish the likelihood of a similar incident occurring in the future (Walters & Hoyle 2011).[18]

RJ is not suitable for all hate crime, with the *'dialogic process'* reliant upon the perpetrator's admission of the offence, and their need to open-up about their motivations and to have agency over their behaviour. It also requires the victim/s to open-up and discuss the impact of the hate crime on themselves.

In his individual submission, Professor Walters cites a 2014 study that involved over 60 interviews with victims, practitioners and police officers who had all had experience of RJ processes. This study also observed 18 RJ meetings, many of which involved direct face-to-face contact between victim and perpetrator. Professor Walters states that *"restorative processes which involved preparation and inclusive forms of dialogue helped to improve the emotional wellbeing of the majority… The dialogical process also helped to significantly reduce levels of anger, anxiety and fear".*

The submission from the educational charity Cumberland Lodge reports that using restorative approaches in schools, including training and mentoring students to apply the techniques themselves *"have been shown to be particularly effective at reducing bullying, as well as… antisocial behaviour".*

Evidence sent to the APPG on Hate Crime gave plenty of evidence that there are many different schemes and initiatives currently active that promote community cohesion, but that many of them are only local in scope and scale. There are clear examples of good practice that can be disseminated and expanded on.

What can national and local government do to increase community cohesion in the face of rising hate crime?

Many submissions sent to the APPG on Hate Crime referred to the role of government in promoting community cohesion. The clear majority focused on the role of national government rather than local so that will be reflected in this section.

The Sussex University submission contained the results of a survey carried out with LGBT+ and Muslim individuals, where each statement was graded from 1 (strongly disagree) to 7 (strongly agree). The results are shown below.

Source: University of Sussex submission

The results show that both groups agreed with the statement that the government should do more, and they both disagreed with the statement that the CPS is effective (in dealing with hate crime offences). They also agreed quite strongly that hate crime should be classified as a *"special category of crime"*.

Many of the submissions that discussed the role of government in building community cohesion and tackling hate crime focussed on the need to review and amend the existing legislation. The current legislative framework is fragmented and hierarchical and in 2014 the Law Commission published a report titled *'Hate crime: should the current offences be extended?'.[31]* This report contained a number of recommendations, which to date have not been acted on by the government prior to its

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[31] Law Commission. "Hate crime: Should the current offences be extended." Law Commission. (2014).

announcement of a legal review of existing hate crime laws, and whether new offences are needed, which was announced in September 2018.

Currently, the law does not treat all hate crime categories equally. Where a particular offence has occurred that demonstrated or was motivated by hostility towards the victim's race or religion then these can be prosecuted as aggravated offences, which carry potentially higher sentences. There are nine different offences that can be prosecuted as aggravated, however, they cannot be prosecuted as such if there was a demonstration of hostility based on sexuality, gender identity or disability. The aggravated offences are defined in the Crime and Disorder Act 1998.

If the offence demonstrates hostility based on sexuality, gender identity or disability or it cannot be classified as an aggravated offence (e.g. theft) but demonstrates hostility based on the victim's race or religion then the Criminal Justice Act 2003 allows for the use of enhanced sentencing, where a judge or magistrate can increase the sentence handed down. Currently, if an offender is convicted of an aggravated offence (e.g. racially-aggravated assault) then this is recorded on their criminal record on the Police National Computer (PNC) and can, therefore, be accessed by appropriate agencies (e.g. the Disclosure and Barring Service [DBS]). If the offence warranted an enhanced sentence (e.g. stalking or harassing someone based on their sexuality) then all that is recorded on the PNC database is the offence itself, not the hostility demonstrated. This could raise concerns around safeguarding and security, for example when vetting potential employees.

This discrepancy also creates what has been called a 'hierarchy of hate', where some categories are perceived as being worth less than others. The Law Commission recommended that the Sentencing Council produced new guidelines dealing with hostility (both the demonstration of and being motivated by in terms of hate crimes) and that enhanced sentences were recorded on the PNC. The Law Commission also recommended a full-scale review be launched of the operation of the aggravated offences and of the enhanced sentencing system. Their report stated that *"most – if not all – of the benefits that might come from extending the aggravated offences* [to include all five hate crime categories] *could flow from the properly applied and accurately recorded use of the enhanced sentencing system"*. They expressed the view that *"the current under-use of the enhanced sentencing system could be having an adverse effect on community confidence and victim satisfaction. This may be contributing to the under-reporting of hate crime"*.

The Law Commission recommended including information on enhanced sentencing on the PNC database for several reasons. Their recommendations included the fact that *"giving the prison and probation services accurate information about offenders' records… should enable them to tailor rehabilitation and education programmes. This could help reduce reoffending of the same kind".* They also pointed out that *"the central purpose of criminal records vetting scheme is to ensure that employment decisions, particularly those relevant to posts working with vulnerable groups, are made with the necessary information about the applicant's criminal record"*.

The Law Commission's recommendation for a full-scale review of aggravated offences and the enhanced sentencing system was to establish *"whether such offences and sentencing provisions should be retained, amended, extended or repealed, what characteristics need to be protected, and the basis on which characteristics should be treated as protected"*.

In their submission, the CPS referred to their support for the Law Commission's recommendation. They also highlighted an issue that is specific to the disability strand of hate crime offences. As many

cases involve a disabled person being targeted due to a perceived vulnerability making them an easy target, it Is not always possible to demonstrate hostility in the attack itself or the perpetrator's motivation. This means that under current legislation incidents the CPS cannot apply for a sentence uplift in cases such as these.

Stonewall referenced the Law Commission report in their submission when they stated:

> In 2014, the Law Commission called for a full-scale review of hate crime legislation… The Government has yet to respond to this review and we strongly urge them to do so as part of their upcoming Hate Crime Action Plan refresh

In their submission, the EHRC stated that the *"Commission continues to call for the Government to carry out a full-scale review of the law in relation to hate crime, as recommended by the Law Commission in 2014.*

They also recommended that government review the law around online hate and harassment whilst bearing in mind freedom of expression.

Professor Mark Walters did not directly cite the Law Commission's report but made similar points. In his submission, he argued that, *"parliament should as a minimum legislate to create parity of protection under the CDA. Preferably Parliament should create a new Hate Crime Act that consolidates the existing fragmented framework which would prescribe any offence as 'aggravated' in law where there is evidence of… hostility"*.

The submission from Inclusion London highlights the *"lack of parity in hate crime law for Disability Hate Crime offences and LGBT+ hate crime offences"*. They go on to say that *"government needs to urgently review existing hate crime legislation with a view to introducing amendments to ensure parity across all protected characteristics"*.

Whether the Law Commission report was directly cited or not, there was clearly a high level of support for their recommendations from organisations working in the field of hate crime work.

Why Me? calls for the government to re-commit to the use of RJ in hate crime cases as part of the current Hate Crime strategy refresh. They point out that in 2012 the government hate crime strategy referenced the use of RJ but in 2016 there was no mention of it. As has been highlighted in the previous section there is good evidence that the use of RJ in dealing with hate crime offences would be effective and that it would be welcomed by victims.

The submission from Glitch! UK echoed the EHRC in their call for the government to take more action against the prevalence of online hate. Their recommendations included that *"government and the Criminal Justice System capture all evidence on online abuse and online hate speech and produce annual reports"*. They go on to recommend that this data should be collected for online hate against *"women, people of colour and other diverse groups"*. Inclusion London argues that the current law is not strong enough to effectively tackle online abuse. They cite the recent legislation passed by the German Parliament called the German Network Enforcement Act which introduces penalties for failing to remove harmful online material within 24 hours.

The University of Leicester called for the government to initiate research into the impact of hate crime on cohesion and integration. They cited the recent report by Her Majesty's Inspectorate of

Constabulary and Fire & Rescue Services that suggested hate crime levels will increase following Brexit and that *"preparing now is an urgent requirement"*. They go on to say that:

> National and local governments need to invest in schemes, initiatives and projects, and commission large-scale, scientifically robust research to evaluate the effectiveness of these interventions…in tackling hate crime and hate speech. The national government should publish the results… to identify and share good practice.

The submission by the independent think-tank British Future made similar points. They quote the government's Action Against Hate strategy from 2016 as saying that *"we will only be able to address hate crime if we understand its causes and effects"*. They go on to point out that the *"government does not currently have a public account of how it understands the dynamics and drivers of hate crime, not a theory of change about the strategies which can tackle it most effectively"*. They recommend that the *"government should commission and publish an independent review of the drivers of hate crime, covering both attitudes and behaviours, based on engagement with civic society and academia"*.

Several submissions highlighted the role of government in education as being key to driving community cohesion and countering hate crime. Cumberland Lodge reported that government's *"commitment to tackling hatred and stated desire to address inequalities were welcomed"*. The submission went on to highlight aspects of government policy that were making it harder for education professionals to reduce these behaviours. Austerity, Ofsted and a focus on *"performance data and exam results"* were all cited as factors that made tackling discrimination and hate difficult. Ofsted was mentioned in a local context by two different submissions, both of which made the same basic point: if a school commits to recording hate incidents amongst its student body, then that data can (and in one case has, according to Devon and Cornwall Police) be used to attack and harm the school's reputation and local standing as painting a distorted picture of a 'hate-filled' establishment.

Protection Approaches stated that they spoke to many teachers who felt *"they do not have the skills or knowledge to teach around these often difficult and sensitive issues, while others do not simply have the time… to integrate learning objectives outside of the curriculum"*. They go on to recommend that education *"should seek to build the skills to analyse information and think critically… but also to ensure that young people have the confidence to… determine fact from opinion or dis/misinformation"*. The WRC argued that sex and relationships education (SRE) curricula should be updated to include material on harassment and the appropriate way to treat women and girls. Whilst these are valid arguments, ongoing issues with the workload and the factors cited by Protection Approaches pose barriers that can only really be addressed by the government.

Regarding critical thinking, the submission from Humanists UK called for the government to look again at the RE curriculum. They argue that RE's omission from the English Baccalaureate (EBacc), a measure of school performance, and the withdrawal of bursary funding for training new RE teachers is undermining the effectiveness of RE as a tool for community cohesion. Furthermore, the submission from Humanists UK adds that, *"good RE should contribute to social cohesion and mutual understanding; enrich pupils' knowledge of the religious and humanist heritage of humanity… RE should be inclusive, pluralistic, objective, fair, balanced, and relevant to all pupils"*. The relative importance of RE to schools in this age of EBacc, Progress 8 and Ofsted is subject to the actions and attitude of government ministers.

As with other aspects of the enquiry, there was a remarkable level of consistency in the evidence submitted to the APPG on Hate Crime on this aspect of hate crime and community cohesion from a wide range of organisations and researchers.

On 5 September 2018 the government announced that they were asking the Law Commission to undertake a full review of all hate crime legislation, including whether sex should become a protected characteristic (see 'Further Evidence' for details of the submissions sent to the APPG on Hate Crime around the topic of sex-based harassment and misogyny).

It is hoped that by broadening out the scope of hate crime through the announcement of a Law Commission enquiry into current legislation, the UK government can tackle the perception of the *'hierarchy of hate'* previously mentioned. Hierarchy of hate is characterised by a belief that some identities feel less protected and *'worthy'* than others, feelings that can promote competition between minority communities (Chakraborti 2014).[9] Chakraborti (2014)[9] identifies this as an ongoing argument within *'conventional hate crime policy'*, exacerbated by the difficulty in having to make decisions that differentiate *'"hate-fuelled victimization and "ordinary" victimisation'*. Chakraborti (2014)[9] also points out how the ability to gain hate crime recognition can be as much about the ability to sustain a successful campaign as to the merits of a group requiring protection. It is hoped the Law Commission review will challenge this viewpoint.

The previously discussed section relating to Brexit also highlights clear evidence that the UK government and mainstream political parties need to consider how they discuss minority communities and groups. Politicians are not immune from disseminating hate. The former foreign secretary Boris Johnson's use of language in comparing Muslim women who wear the burqa and the niqab to bank robbers and letterboxes is one such example.[32] In the immediate aftermath of his comments, Tell MAMA reported a spike in anti-Muslim incidents particularly against Muslim women given the visible nature of their clothing, with victims reporting heightened feelings of vulnerability.[33]
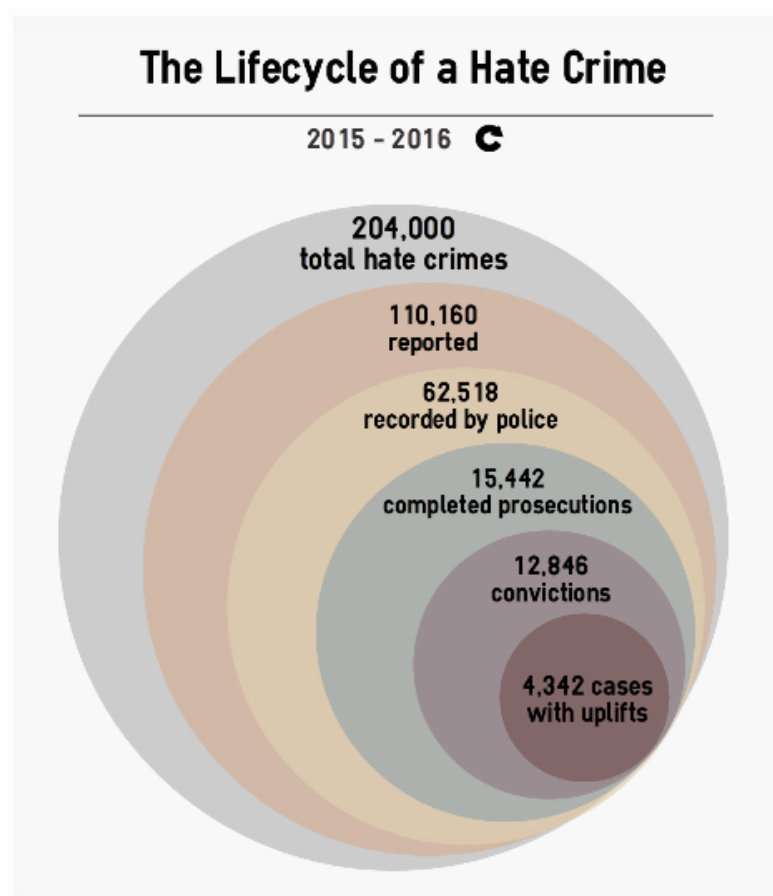
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[32] Johnson, Boris. "Denmark Has Got It Wrong. Yes, the Burka is Oppressive and Ridiculous? but That's Still No Reason to Ban It." The Telegraph. Accessed February 4, 2019. https://www.telegraph.co.uk/news/2018/08/05/denmark-has-got-wrong-yes-burka-oppressive-ridiculous-still/.

[33] Esther Webber, Red Box Reporter. "Rise in Reports of Verbal Abuse Against Muslim Women After Boris Johnson Burka Comments." The Times & The Sunday Times. Last modified August 14, 2018. https://www.thetimes.co.uk/article/rise-in-reports-of-verbal-abuse-against-muslim-women-after-boris-johnson-burka-comments-jbbd9kwcg.

What role do police forces play in increasing community cohesion in the face of rising hate crime?
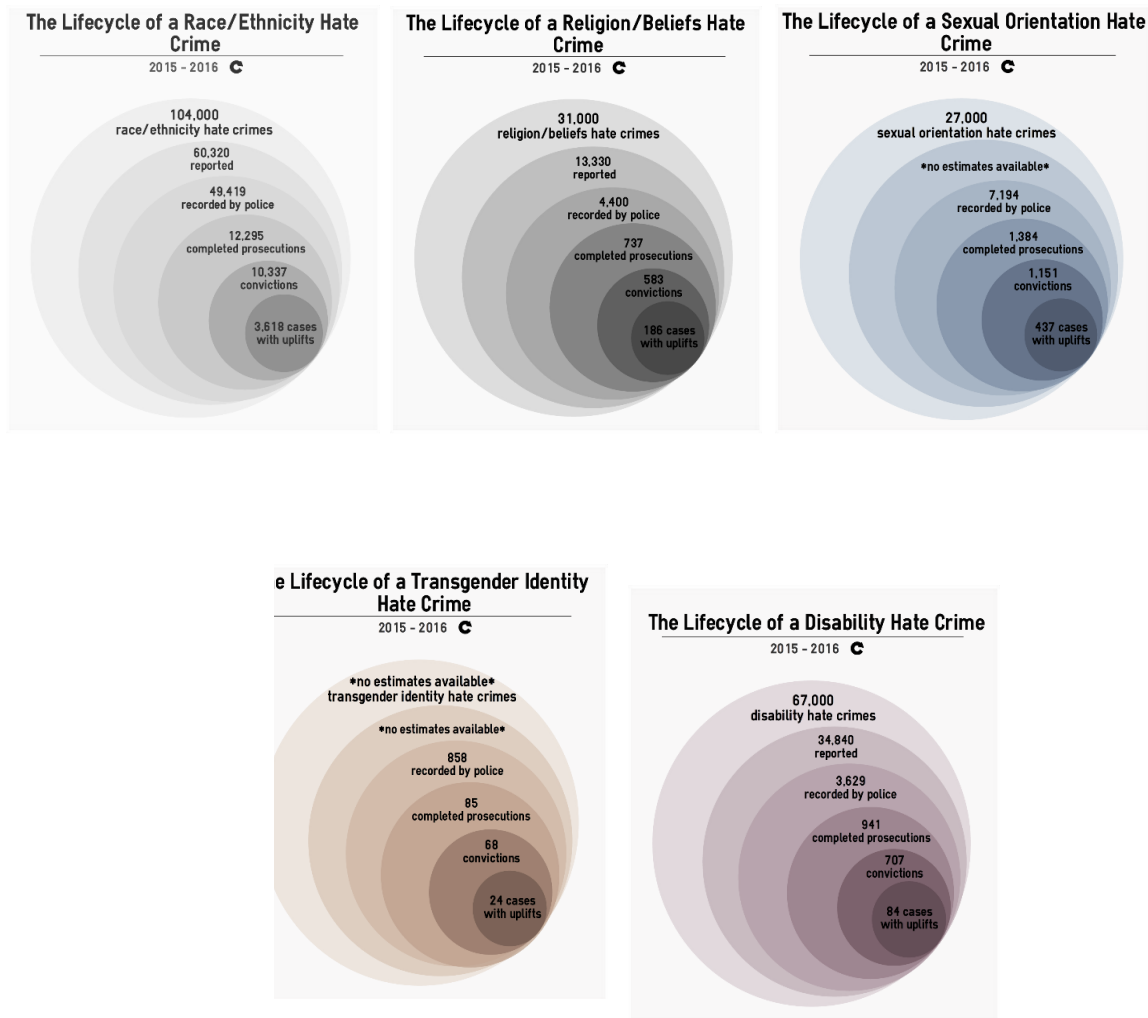
In his submission, Professor Walters highlights the so-called 'justice gap' for hate crime in England and Wales. The most recent Crime Survey for England and Wales figures (March 2014 to March 2016 combined) showed approximately 204,000 hate crimes occurring per year of which 54% (110,160) were apparently reported to police. Police data for 2015/2016 showed 62,518 hate crimes being recorded. If the number of reported hate crimes totals approximately 110,160, then the data suggests that only 57% of reported hate crimes are actually recorded as such by the police. Of the 62,518 hate crimes recorded by the police, 15,442 were prosecuted as such by the CPS with 12,846 resulting in a conviction. The final piece of information is that the CPS recorded sentencing uplifts in 33.8% of total hate crime cases, which translates to 4,342 cases. The CPS submission has illustrated that in 2016/2017 there was an increase to 52.2% of hate crime cases receiving a sentence uplift, which is positive but shows there is still more progress to be made.

This analysis (based on approximate figures but giving a decent overall view) shows that out of 110,160 hate crimes reported each year, just 4,342 cases resulted in a conviction with an increased sentence because of either demonstrating or being motivated by hostility. This figure represents just 4% of the total. Professor Walters produced infographics illustrating this justice gap for all hate crime which are broken down by hate crime category below.

The Lifecycle of a Hate Crime
2015 – 2016

204,000 total hate crimes
110,160 reported
62,518 recorded by police
15,442 completed prosecutions
12,846 convictions
4,342 cases with uplifts

Source: Professor M Walters submission

As Professor Walters goes on to say, there are many reasons behind the massive disparity between hate crimes reported to the police and successful (i.e. including a sentence uplift) convictions. In each case where the numbers for hate crimes reported to the police and recorded by the police can be compared, there is a significant drop-off. The enquiry received many submissions that spoke of how the police could improve the way in which they approach and investigate hate crimes.

The CPS submission highlighted the fact that although the terrorist attacks that took place in 2017 produced an increase in police recorded hate crime this did not, in turn, lead to a *'marked increase in referrals to the CPS'*. Moreover, the CPS point out that the number of police receipts for hate crime offences (a receipt being cases that are submitted to the CPS for a charging decision) has fallen by 13.9% over a three-year period. That there is an overall decrease in the number of cases being passed by police forces to the CPS for charging at the same time as an increase in the reporting and incidences of hate crime is concerning and warrants further investigation.

The enquiry also received submissions from two police forces (Devon and Cornwall and BTP), two different police Independent Advisory Groups (IAG) and the NBPA. The submission from BTP states that they *"believe there should be a legal definition of hate crime which would ensure victims of hate crime receive the proper justice that they deserve."*. This links with the Law Commission's recommendations regarding amending the existing hate crime legislation. They also go on to say that *"further clarity is needed around the way the Crown Prosecution Service (CPS) interpret the definition to ensure that Police Forces and the CPS have a consolidated perspective and understanding"*. This apparent lack of clarity highlighted by BTP could well be a contributory factor to the drop off between police forces recording hate crimes and the CPS prosecuting them as such.

Devon and Cornwall Police highlighted several ways in which police forces can help build community cohesion as well as tackling hate crime. They point out that forces can be an educational provider and cite their own initiative 'Pathfinder' which *"enables attitudes and behaviours of low level offenders to be challenged through learning and understanding"*. Community relations are also an important part of the role of police forces in helping to tackle hate crime. Being seen as a supportive part of the local community will encourage victims to report hate crimes, whereas now, many victims do not go to the police in the first place (see the figures quoted at the start of this section).

North Yorkshire IAG suggests a range of approaches, including ensuring that all staff are thoroughly trained in recognising diversity and can react appropriately to vulnerable people across all strands. They also recommend setting up 'hate crime reporting centres' manned by trained staff and funded as well as training police to adapt their approaches to different groups (e.g. using non-uniformed officers with communities who may be fearful of police officers). Medway IAG also stresses the importance of reassuring communities, particularly following significant events (e.g. working with the Muslim community following a terror attack). They also give examples of instances when they have worked with different communities to help one support the other (e.g. when local mosques reached out to synagogues following acts of antisemitic vandalism).

Several different organisations spoke about the need to provide police officers with appropriate training to improve their awareness and approaches when dealing with vulnerable groups of people. Stonewall said that *"it is vital that police forces improve training to all police officers and frontline staff to sensitively handle, identify and record homophobic, biphobic and transphobic hate crimes to encourage reporting"*. The Traveller Movement goes somewhat further, stating that *"there is significant evidence to show that police forces throughout the country are in breach of their Equality Duty, acting in a way that encourages and legitimises hate speech and hate crime against Gypsies, Roma and Travellers"*. If this is the case, then there is a clear need to train officers in this area. The Equality Practice points out that *"frontline officers are often victims themselves of misinformation regarding minorities, circulated via the media, and they too fall foul of their own unconscious biases"*. Training and support to help officers maintain a higher level of awareness around vulnerable and targeted groups would help to counter this issue. The Equality Practice gives an example of a frequent mistake that can be easily rectified, when *"a male officer"* [is sent] *to build relationships with Muslims women, most vulnerable to hate crime, is a mistake often made"*. Mermaids support the idea of providing training to police officers to help them better support hate crime victims as well, saying that police should *"respond to trans hate crime in a trans aware and friendly way; this will require constabularies… to undergo mandatory training"*.
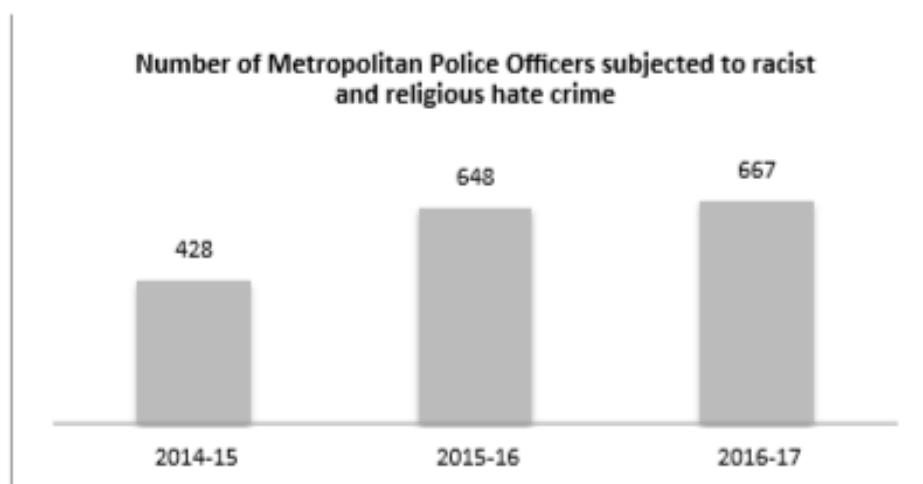
In their submission, the EHRC called for *"evaluation by the police and other statutory agencies of their reporting and recording processes, in consultation with people from local communities, and steps taken to simplify them"*. They also recommended that police make full and effective use of the relevant victim support services by referring hate crime victims as appropriate. They also recommend *"a review of third party reporting, to evaluate its impact and sustainability, highlight geographical and thematic gaps and ensure consistency with police reporting services"*. There has been some work in this area in recent years, but further research and evaluation are needed.

There were examples of good police practice cited in submissions. Inclusion London discussed an initiative rolled out by the Metropolitan Police Service in 2016 called 'Disability Hate Crime MATTERS'. This was an internal project that revolved around front line officers receiving briefings from disabled staff from relevant organisations to help raise awareness and understanding of disability hate crime. The result was that the reporting and recording of disability hate crime increased substantially whilst the project was active. Unfortunately, due to staff changes and funding cuts this initiative has since been stopped.

Stop Hate UK highlighted Kirklees as a location where local police had shown many examples of good practice following major incidents. A long-term aim has been the development and maintenance of links with key community groups and individuals designed to build *"trust and communication."* These relationships and links have helped with intelligence and information gathering around any rising tensions that need addressing, and have *"enabled quick communication, impact assessment, impact meetings, and community response planning if incidents occurred"*.

The submission from the NBPA highlights the fact that police officers themselves can become victims of hate crime. They cite a Freedom of Information investigation by the BBC that revealed a substantial increase in the number of Metropolitan Police officers who had been the victims of race and religious hate crime. The results are summarised in the figure below.

Number of Metropolitan Police Officers subjected to racist and religious hate crime

428 — 2014-15
648 — 2015-16
667 — 2016-17

Source: NBPA submission

The NBPA submission goes on to say that *"it is imperative, that police forces monitor and tackle internal hate crime in a robust and timely manner. We are conscious of the negative impact… when BAME … officers are subjected to… abuse by members of the public… This can contribute to an erosion*

of trust and confidence of BAME communities in the very agencies mandated to protect them". It is important that the experiences of officers and other members of the police forces are taken into consideration as they can feed into the more general training needs.

It is imperative that hate crime is tackled effectively as a means of sending out a message to both the perpetrator and victim that such behaviour will not be tolerated by wider society. A means by which police forces can strengthen community cohesion comes in the work of Walters and Krasodomski-Jones (2018)[34] who argue for improved recording of hate crime offences. They argue the process needs to be detailed and transparent enough to include geographic hotspots of hate crime, the likely characteristics of perpetrators, and better collation of the demographics of both victims and perpetrators. The aims of their research were to do just that by compiling data designed to help police more accurately and efficiently tackle hate crime within their community. For example, they found that transparency was currently hindered with certain information on hate crime not being collated, such as whether both the victim and perpetrator identify as transgender or non-binary (Walters & Krasodomski-Jones 2018).[34] Answering these questions would allow for a better understanding of the motives of hate crime, its intersectionality and implications on intra-community cohesion.

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[34]Walters, Mark, and Alex Krasodomski-Jones. "Patterns of hate crime: who, what, when and where?." (2018).

What role can community organisations, charities and others play to increase community cohesion in the face of rising hate crime?

There was less detail in the submissions received around this question that has not already been referred to earlier in this report. That is not to say that the enquiry received no evidence around this area.

One common theme of submissions that discussed the role of community organisations and charities etc was the ground level or grassroots support that they can provide to victims and communities without the need to go through as many layers of procedure. This assessment is still up for debate. The Equality Practice also points out that charities are not *"separated by barriers like uniforms and prejudice by association"*.

Another shared idea was that charities and community organisations were best placed to bring different groups and communities together. The submission from Stonewall points out that faith groups can play a big role in bringing their community closer to the LGBT+ community simply by recognising LGBT+ individuals as being active in their religions and amending their practice to improve inclusivity.

The submission from Stop Hate UK highlighted the important role that charities etc have in forming networks and partnerships to promote community cohesion and tackle hate crime. They also point out that community organisations and charities can *"bring people of different backgrounds together to address common issues and increase awareness and understanding of each other"*. They also refer to the *"reach and trust"* that such groups have within communities and that this should be utilised to build community cohesion.

Rene Cassin agreed with the points raised by Stop Hate UK. They stated *"Organisations can share their resources, experience and expertise with the representative organisations of other targeted groups. This helps to tackle hate crime and hate speech, by building the capacity of organisations to fight against hate crime effectively"*.

The submission by the education charity Cumberland Lodge stressed the need to improve opportunities for collaboration. Their evidence raised the prospect of an umbrella body being established that could coordinate different aspects of cooperative working on any given area.

Dimensions have launched the #ImwithSam campaign to work with a wide range of agencies to improve the situation of hate crime against people with learning disabilities and autism. This is an example of collaborative working between charities and the public sector (e.g. police and education) to help improve peoples' lives.

The CPS cites its own efforts to raise awareness of hate crime law and sentencing options by sharing information about successful outcomes in relevant cases via local media and the CPS website.

Are there projects that support the emotional and mental health of individuals who have been targeted?

Many of the submissions received by the enquiry highlighted the need for emotional and mental health support of victims. They also mentioned how there were very few services available that provided this. It was clearly felt by many of the agencies and individuals who gave evidence to the enquiry that this was an important but under-resourced and overlooked sector of hate crime support services.

Use of the word *'victim'* is arguably, in of itself, and not a term many would necessarily seek to define themselves (Kees et al. 2016).[35] It is used here for the purposes of clarification, but we do not in any way seek to contribute to furthering the victimisation process.

Where respondents were found to have accessed support, reactions varied to its usefulness. Hardy & Chakraborti (2016)[36] found that only 8.6% of their respondents had received support, the main type being emotional at 83%. Satisfaction of the services varied, with 55% *'dissatisfied'* with the police support, 78% satisfied with the role of Victim Support, and 70% *'dissatisfied'* with local authority support (Hardy & Chakraborti 2016)[36].

Despite the apparently limited availability of services, this is not to deny the incredible services that are currently being offered, such as by Victim Support.[37] They provide an immediate role following a hate crime, a confidential service that includes practical and emotional support, as well as guidance of the criminal justice sector such as applying for compensation. Emotional support is characterised by responding to the 'emotional turmoil' of being a hate crime victim that can include post-traumatic stress disorder. Practical support includes advising on home security and liaising with other organisations such as police or local authorities. Victim Support also offers support and guidance to teachers and educational professionals which is important as the number of hate incidents that occur in educational establishments is increasing. They also provide specialist caseworkers who work with children on issues related to crime and its consequences.

The services offered by Victim Support in many ways correlate to research identifying hate crime victims' needs, beginning with immediate physical and practical support that may include emergency medical advice to home security improvements (Kees et al. 2016)[35]. It is obviously important victims are believed and their concerns taken seriously, not only to encourage people to report the crimes but also to prevent *'secondary victimisation'* (Kees et al. 2016)[35]. Victim Support's role in helping victims discuss and talk through their experience is also identified as key to enabling people to move on with their lives following a hate crime.

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[35] Kees, Stephan-Jacob, Paul Stephen Iganski, Robert Kusche, Magdalena Swider, and Kusminder Chahal. "Hate crime victim support in Europe: a practical guide." (2016).
[36] Hardy, Stevie-Jade, and Neil Chakraborti. "Healing the Harms-Identifying How Best to Support Hate Crime Victims." (2016).
[37] Victim Support. "How We Can Help." Victim Support. Accessed February 4, 2019.
https://www.victimsupport.org.uk/help-and-support/how-we-can-help.

Other organisations also offer a range of support, such as CST's Psychological First Aid offered by their Psychological Response Team[38]. This is designed to provide immediate support in the event of a major incident, not just to Jewish communities but whoever may require it. Led by psychologists and psychotherapists, it recognises the need for immediate support following a significant major incident.

Research from Chahal (2003) [39] lists the attributes required of caseworkers such as taking a *'non-judgemental approach'* and the ability to signpost the victim to other services. Craig-Henderson & Sloan (2003) [40] also provide advice in the US as to how psychologists should respond when helping hate crime victims, stating the focus of support needs to be *'trauma-specific'*, focusing solely on the hate crime and its implications on the victim. The importance of taking on a *'silent'* role is also mentioned, offering support and guidance rather than a more practically minded role (Craig-Henderson & Sloan 2003).[40] This allows the victim to focus on searching for their own solution, endorsing the individual nature of hate crime victimisation so often mentioned in the literature (Craig-Henderson & Sloan 2003).[40] It was clear from submissions that many organisations are already offering this level of support to victims of hate crime but that more is required to extend services.

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[38] The CST. "Psychological First Aid." The CST. Accessed February 4, 2019. https://cst.org.uk/emergency-assistance/psychological-first-aid.

[39] Coleman, Stella, and Corinne May-Chahal. Safeguarding children and young people. Routledge, 2013.

[40]Craig-Henderson, Kellina, and L. Ren Sloan. "After the hate: Helping psychologists help victims of racist hate crime." Clinical Psychology: Science and Practice 10, no. 4 (2003): 481-490.

Further Evidence

As part of the enquiry, the APPG on Hate Crime received many submissions that all argued for the inclusion of sex as a hate crime strand, specifically misogyny (hatred of women and girls). As misogynistic incidents cannot currently be classified as 'motivated by or demonstrating hostility or prejudice', it was felt that the evidence contained in these submissions merited inclusion under a separate heading.

> The following quotes are taken from a selection of the individual submissions that argued the case for misogyny to be included as a hate crime strand:
>
> *"As a girl, I experienced regular street harassment from the age of 12… I would like to point out that being kerb-crawled at the age of 12 has a profound effect… If a man murders a woman because she is a woman this is not considered a 'contributory factor' that would lead to a more severe sentence… If we are to have a society in which behaviours can be classed as 'hate crimes'… then crimes motivated by misogyny must be included."*
>
> *"I have real concerns at the way that hate crime is being framed. One of the key concepts is equality before the law and yet the hate crime suffered by women as a group is not being considered."*
>
> *"I feel that misogyny needs to be made into a hate crime. We have the rise of incels – involuntary celibates who actually believe that they are owed a sexual partner just because they want one. We have an explosion of rape and sexual assault crimes,"*
>
> *"I was raped by an older man when I was 16. He picked me as I was young, vulnerable, weaker than him and <u>female</u>."*
>
> *"Misogyny/sexism (hatred of females due to our biological sex), which includes anti-feminist and lesbophobia* [fear of lesbians] *is pervasive and leads to hate speech and hate crime."*
>
> *"They* [hate crime laws] *are asymmetrical. Women are not protected by them as misogyny is not a hate crime."*
>
> *"I am a thirty-three-year-old resident of… London and a practising barrister. I am responding to this enquiry because I believe that the law on hate crime should be expanded to include sex as a protected characteristic… sex as a protected characteristic would include persons of any sex"*
>
> *"It is vital that we address sexual hate crime as a whole and group together misogyny and misandry and treat them as one problem using non-sex specific, non-gender specific terms."*

These are only a selection of quotes from some of the relevant submissions. The majority supported what most of the above quotes call for, i.e. the classification of misogyny (hatred of women) to be added to the hate crime strands. Then there are other submissions that argue the case for a broader definition to be used in order to prosecute all sex-based crimes as hate crimes (examples of these are given in the final two quotes above).

There were also several submissions from charities and other organisations that focussed on this argument. Submissions were received from the Nottingham Women's Centre in conjunction with the University of Nottingham and Nottingham Trent University (NWC), Critical Sisters, White Ribbon, Fair Play for Women, Lesbian Rights Alliance, Sex Matters, Nordic Model Now!, Women's Resource Centre (WRC) and the CPS.

Nordic Model Now!'s submission states that:

> *The definition* [of hate crime] *lacks recognition that what distinguishes such crimes from ordinary crime is that they are committed by members of groups that have social, cultural, political and/or economic dominance relative to the target group – for example, white people towards Black or Asian people, men towards women… By framing the definition of hate crime as power-neutral, it's possible for those with more power to claim those with less power are committing hate crimes against them and for those in authority to accept this and act on it*

Their argument is that as society is male-dominated and increasingly aggressive and intolerant of women's issues that misogyny should be framed as a hate crime and prostitution as an extension of it. By recording misogynistic incidents as hate crimes this would allow police etc to gain a more in-depth understanding of the picture.

White Ribbon, an organisation which works with men and boys to help end male violence against women argues that, *"For there to be full community cohesion it is essential that women feel safe and confident in going about their everyday lives. For misogyny to be fully recognised as a hate crime would help demonstrate the seriousness of those behaviours that can often be trivialised"*. The behaviours that they talk about include sexually explicit language, taking unwanted photos, harassment etc.

Sex Matters, Lesbian Rights Alliance and Fair Play for Women all argue the case largely from the perspective of protecting female identity and the rights for women to have single-sex spaces and that the activities of some transgender activists are a form of male violence against women and therefore misogynistic abuse.

The submission by NWC concerned the evaluation of the misogyny hate crime project in Nottinghamshire. For two years Nottinghamshire Police have been recording misogynistic incidents and crimes as hate incidents and hate crimes and the evaluation report examined the impact of this on reporting rates and feedback from both police and members of the public (men and women). The report cited Goal 5 of the Sustainable Development Goals 2030, that reads:

> *Gender inequality persists worldwide, depriving women and girls of their basic rights and opportunities. Achieving gender equality and the empowerment of women and girls will require more vigorous efforts, including legal frameworks, to counter deeply rooted gender-based discrimination that often results from patriarchal attitudes and related social norms.*

The evaluation report stated that 174 women reported a misogyny hate crime between April 2016 and March 2018. Of these, 73 were classified as crimes, the remainder as incidents. Only one case was successfully prosecuted. The evaluation team carried out a survey that was completed by 591 people, of whom 75.3% were female and 22% were male. The majority of respondents were in favour of the misogyny hate crime project and thought it should be continued. When asked what they thought should be done about this type of behaviour, many respondents said that education was the best route forward. The survey results that asked respondents who had experienced misogyny what forms

the behaviours took were concerning. More than half had experienced threatening/aggressive or intimidating behaviour (51.8%). Groping was reported by 46.2% and the numbers for indecent exposure, being followed home and sexual assault were all worryingly high (25.9%, 25.2% and 24.9% respectively).

More than 60% of respondents reported having changed their behaviour in some way because of these attacks (63.1%). There was clear evidence that misogynistic incidents and attacks were viewed as part of daily life. Women of colour often experienced discrimination and attacks because of their race and gender, which, again, stresses the need for an intersectional framework of analysis. The majority of survey respondents (men and women) said they supported the project and thought it should continue. There was a feeling amongst women who responded to the survey that knowing the policy existed made them feel safer. The evaluation report recommended that the project is maintained in Nottinghamshire and rolled out nationally.

The CPS submitted a letter written by the Director of Public Prosecutions to the Chair of the Home Affairs Select Committee on this topic. The letter concludes by saying:

> *The CPS does not recommend that misogyny is categorised as a hate crime or that legislation is introduced to prosecute it as such. The CPS recommends that misogyny continues to be addressed as part of the cross-Government VAWG* [violence against women and girls] *framework. Any action taken to address misogynistic behaviour needs careful consideration to avoid unintentional impacts to both the VAWG and hate crime agendas.*

The evidence sent to the enquiry on this topic indicates that there is support for misogyny to be made a hate crime amongst certain sections of the public but that the legal arguments are currently less supportive. Although the Nottinghamshire project has largely been hailed as a success, as with hate crime there needs to be a consistent and fair approach. Recent statistics paint an unflattering picture of the justice system's treatment of female victims of crime, particularly serious offences such as sexual assault and rape, which must be a priority for police forces and the CPS. The submission by the WRC mentioned this same issue, citing the very low rates of reporting for rape cases as well as the fact that women from minority communities may be even less likely to approach the police for similar offences. They argue that a consideration of how hate crime offences can be framed in order to be effectively applied to violence against women (VAWG) is *"crucial"*.

On 5th September 2018 it was announced by the government that they were asking the Law Commission to launch a full-scale review of hate crime legislation, including whether sex should be included as a protected characteristic. This was in response to an amendment tabled for the Voyeurism (Upskirting) Bill tabled by Stella Creasy MP that called for misogyny to be recognised as a hate crime.

Conclusions

The Situation Today

The evidence submitted to the enquiry, recent academic research and government data all point to the same thing: hate crimes in the UK are on the rise. This increase cannot be ascribed to increased rates of reporting alone. Rates of reporting have increased but hate crime remains chronically under-reported across all protected characteristics (race, religion, sexuality, gender identity and disability). The recently published government hate crime statistics[2] illustrate this trend with an average increase of 18% across all strands between 2011 and 2018 (the largest increase was recorded in religious hate crime [40%] and the smallest in racist hate crime [14%]).

Data submitted to and gathered by the APPG on Hate Crime for this enquiry, showed that hate crime takes a wide variety of forms with different communities being targeted in different ways. Muslim victims tended to be targeted with verbal abuse, whereas LGBT+ and disabled hate crime victims were more likely to face physical violence.

Being targeted as a victim of hate crime has been shown to have a markedly bigger impact on the mental and emotional health of victims, with a greater proportion of victims displaying symptoms such as depression, anxiety and behavioural changes when compared with victims of non-hate motivated offences.

Children and young people can be identified as doubly vulnerable to hate crimes. They are at risk of committing criminal acts without being aware of the implications and consequences both for them and their victims as well as open to absorbing extremist narratives through online platforms and the adults in their lives. They are also often the victims of hate crimes, either through peer to peer bullying (which takes place both online and offline) or by other individuals (e.g. adults engaging in hate speech online or in the street). This can have a profound impact on the mental and emotional health of these children and young people.

The internet is a key breeding ground for hate crimes and acts of hate speech, and there has not been a quick enough realisation of the links between online attacks and 'real-world' incidents such as the murder of Jo Cox in June 2016. Radicalisation and grooming to extremist narratives and bigotry can occur online very easily and quickly.

Recommendations For The Future

The APPG on Hate Crime welcomes the announcement by the government in September of a full review of hate crime legislation to be carried out by the Law Commission, and it is hoped that this report can play a role in that process.

From the evidence sent to and gathered by the APPG on Hate Crime for this enquiry as the law currently stands, hate crime legislation is uneven and piecemeal. The relevant material is contained within different Acts of Parliament, primarily the Criminal Justice Act 2003 and the Crime and Disorder Act 1998. Of the five hate crime strands, only offences that demonstrate or are motivated by hostility or prejudice towards someone because of their race or religion can be prosecuted as 'aggravated' offences and then only certain criminal acts qualify for the aggravated label. The remaining characteristics (disability, sexuality and gender identity) can be used in prosecutions to obtain an enhanced sentence, but it is easy to see where the phrase 'hierarchy of hate' comes from.

In the current situation, hate crime victims are not treated equally in the eyes of the law, and this may well be a contributing factor in the 'justice gap' (see report section on the role of police forces for more detail). The law on hate crime needs to be consolidated and evened out to ensure that all victims can expect the same level of justice.

Hate crime is a deeply complex subject to unravel and understand, and the current reporting tools are far too crude to allow for a truly nuanced analysis to take place. It is clear to this enquiry that hate crimes are often intersectional; victims are attacked because of their multiple identities. This is supported by evidence submitted to the APPG on Hate Crime that says how LGBT+ people who are disabled or persons of colour are more likely to fall victim to hate crimes than LGBT+ people who are not, or that the majority of Islamophobic attacks are carried out by men against women (although sex is not currently a protected characteristic for hate crimes). This is something that needs rectifying as it will allow the police, the CPS, and the government to get the most detailed pictures and mapping of hate crimes possible.

There is a strong level of support for the use of restorative justice as a tool against hate crime offences. It has been shown to have support amongst victims, both for their own sakes but also from the perspective of improving offenders' views and reducing re-offending rates. Whilst it has its limitations, the apparent absence of restorative techniques for hate crimes should be addressed by government, with additional funding made available if needed. There is a role for charities and community organisations to play here as well, as trained mediators and facilitators in this process, particularly if there is low trust in local police forces.

Next Steps

Following from the publication of this report, the APPG on Hate Crime plans to invite a range of individuals and groups to give verbal evidence based on their submissions or research. The APPG on Hate Crime also hopes to play a role in the forthcoming review of hate crime laws carried out by the Law Commission.

For hate crime to be tackled effectively, people need to feel able to report their experiences, ideally to the police or alternatively to a third-party service like GALOP, Tell MAMA, GATE Herts or CST. Increased reporting rates are a welcome development but there is still a long way to go before anyone has the full picture of the levels of hate crime in the UK.

All groups and individuals who are part of, or work with vulnerable communities and populations need to be proactive in engaging with the people around them, not simply waiting until something bad happens. There needs to be continued and increased pressure on websites (particularly social media platforms) to better monitor extreme and harmful activity in their domains.

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GATE Hertfordshire
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Stop Funding Hate
Stop Hate UK
Stop the Glitch! UK
Sussex University
Tell MAMA

The Equality Practice
The Women's Muslim Advocacy Project (WMAP)
Trans Equality Legal Initiative (TELI)
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